

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2007

SEVENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 21, 2007

The House of Representatives convened at 9:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Paul Rogers, House Chaplain.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dominguez	Hilstrom	Lieder	Olson	Slawik
Anderson, B.	Doty	Hilty	Lillie	Otremba	Slocum
Anderson, S.	Eastlund	Holberg	Loeffler	Paulsen	Smith
Anzelc	Eken	Hornstein	Madore	Paymar	Solberg
Benson	Emmer	Hortman	Magnus	Pelowski	Sviggum
Bigham	Erhardt	Hosch	Mahoney	Peppin	Swails
Bly	Erickson	Howes	Mariani	Peterson, A.	Thao
Brod	Faust	Huntley	Marquart	Peterson, N.	Thissen
Brown	Finstad	Jaros	Masin	Peterson, S.	Tillberry
Brynaert	Fritz	Johnson	McFarlane	Poppe	Tingelstad
Buesgens	Gardner	Juhnke	McNamara	Rukavina	Tschumper
Bunn	Garofalo	Kahn	Moe	Ruth	Urdahl
Clark	Gottwalt	Kalin	Morgan	Ruud	Wagenius
Cornish	Greiling	Knuth	Morrow	Sailer	Ward
Davnie	Gunther	Koenen	Mullery	Scalze	Wardlow
Dean	Hackbarth	Kohls	Murphy, E.	Seifert	Welti
DeLaForest	Hamilton	Kranz	Murphy, M.	Sertich	Westrom
Demmer	Hansen	Laine	Nelson	Severson	Winkler
Dettmer	Hausman	Lanning	Nornes	Shimanski	Wollschlager
Dill	Haws	Lesch	Norton	Simon	Zellers
Dittrich	Heidgerken	Liebling	Olin	Simpson	Spk. Kelliher

A quorum was present.

Carlson and Ozment were excused until 9:35 a.m. Atkins was excused until 9:40 a.m. Lenczewski was excused until 9:45 a.m. Beard and Hoppe were excused until 9:55 a.m. Berns was excused until 10:25 a.m. Walker was excused until 10:30 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Lillie moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ozment, McNamara, Garofalo and Hansen introduced:

H. F. No. 2548, A bill for an act relating to capital improvements; authorizing spending for public purposes; appropriating money for reconstruction of interchange of County Road 42 at marked Trunk Highway 52 in Dakota County.

The bill was read for the first time and referred to the Committee on Finance.

Juhnke, Hilstrom and Rukavina introduced:

H. F. No. 2549, A bill for an act relating to railroads; enacting General Railroad Safety Act; amending Minnesota Statutes 2006, section 609.85, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 219.

The bill was read for the first time and referred to the Committee on Finance.

Dill, Rukavina, Kranz, Slocum, Hilstrom, Sertich, Lillie, Clark and Doty introduced:

H. F. No. 2550, A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution, article XI; increasing the income tax rate for certain income brackets and dedicating the receipts for property tax relief; amending Minnesota Statutes 2006, section 290.62.

The bill was read for the first time and referred to the Committee on Taxes.

Erhardt introduced:

H. F. No. 2551, A bill for an act relating to taxation; repealing the sales tax exemption on clothing; decreasing the sales tax rate; creating an income tax credit; adjusting local option sales tax rates; appropriating money; amending Minnesota Statutes 2006, sections 295.60, subdivision 1; 297A.62, subdivision 1; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 2006, section 297A.67, subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

Knuth introduced:

H. F. No. 2552, A bill for an act relating to solar energy; prohibiting a homeowners association from restricting the installation and operation of a solar energy system; amending Minnesota Statutes 2006, sections 515.11; 515.19, subdivision 1; 515A.3-102; 515B.3-102.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. No. 1208

A bill for an act relating to state government; changing provisions for construction codes and licensing provisions; providing penalties and enforcement; modifying provisions relating to the limitation on certain actions; instructing the revisor to renumber certain statutory sections; appropriating money; providing appropriation reductions; amending Minnesota Statutes 2006, sections 16B.04, subdivision 2; 16B.60, subdivisions 4, 7, 8, 11; 16B.61; 16B.615, subdivision 4; 16B.617; 16B.6175; 16B.63; 16B.64, by adding a subdivision; 16B.65; 16B.70; 16B.72; 16B.73; 16B.735; 16B.74, subdivisions 1, 2, by adding subdivisions; 16B.741; 16B.744; 16B.745, subdivisions 1, 4; 16B.747; 16B.748; 16B.76; 31.175; 103I.621, subdivision 3; 144.122; 144.99, subdivision 1; 175.16, subdivision 1; 178.01; 178.02; 178.03, subdivision 3; 178.041, subdivision 1; 183.38; 183.39, subdivision 1; 183.411, subdivision 2; 183.42; 183.45; 183.46; 183.465; 183.466; 183.48; 183.501; 183.505; 183.51; 183.54, subdivisions 1, 3; 183.545, by adding a subdivision; 183.56; 183.57, subdivisions 1, 2, 5, 6; 183.59; 183.60; 183.61, subdivisions 2, 4; 214.01, subdivision 3; 214.04, subdivisions 1, 3; 299F.011, subdivision 1; 325E.37, subdivision 6; 325E.58; 326.01, subdivisions 2, 3, 5, 6, 6a, 6b, 6c, 6e, 6f, 6g, 6j, 6k, 6l, 7, 8, by adding subdivisions; 326.242; 326.243; 326.244, subdivisions 1a, 2, 3, 4, 5, by adding a subdivision; 326.2441; 326.245; 326.248; 326.37; 326.38; 326.39; 326.40; 326.401; 326.405; 326.42; 326.46; 326.461, by adding subdivisions; 326.47; 326.48; 326.50; 326.57, subdivision 1; 326.58; 326.59; 326.60; 326.601; 326.61, subdivisions 1, 2, 3, 4; 326.62; 326.65; 326.83, subdivisions 6, 7, 11, 18, 19, 20; 326.84; 326.841; 326.842; 326.86; 326.87; 326.88; 326.89; 326.90, subdivision 1; 326.91, subdivision 1; 326.92; 326.921; 326.93; 326.94; 326.95, subdivision 2; 326.96; 326.97; 326.975, subdivision 1; 326.992; 327.20, subdivision 1; 327.205; 327.31, subdivisions 2, 3, 4, 7, 15, by adding a subdivision; 327.32, subdivision 8; 327.33, subdivisions 2, 6, 7; 327.34, subdivision 3; 327.35, subdivisions 1, 2; 327A.01, subdivision 2; 327B.01, subdivisions 4, 5, 7, 17, by adding subdivisions; 327B.04, subdivisions 1, 4, 6, 7, 8, by adding a subdivision; 327B.05, subdivision 1; 327B.10; 363A.40, subdivision 1; 462.357, subdivision 6a; 462A.07, subdivision 8; 471.465; 471.466; 471.467; 471.471; 541.051; proposing coding for new law in Minnesota Statutes, chapters 326; 327B; proposing coding for new law as Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2006, sections 16B.665; 16B.747, subdivision 4; 183.001; 183.02; 183.375, subdivisions 1, 2, 3, 4, 5, 6; 183.41, subdivisions 1, 2, 3, 4; 183.44, subdivisions 1, 2, 3; 183.52; 183.54, subdivision 2; 183.545, subdivision 9; 183.61, subdivisions 1, 3, 5, 6; 326.01, subdivisions 4, 6h, 9, 10, 11, 12, 13; 326.241; 326.242, subdivisions 4, 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 9k, 10; 326.244, subdivision 6; 326.246; 326.2461; 326.247; 326.40, subdivision 4; 326.41; 326.44; 326.45; 326.47, subdivision 5; 326.51; 326.52; 326.521; 326.64; 326.83, subdivisions 3, 4, 12, 13; 326.85; 326.875; 326.91, subdivisions 2, 3, 4; 326.945; 326.975; 326.98; 327B.05, subdivisions 2, 3, 4, 5, 6; Minnesota Rules, parts 2809.0230; 2891.0010; 2891.0030; 3800.2650; 3800.3580; 3800.3590; 3800.3630; 3800.3750; 3800.3835; 4715.5600; 4715.5900; 4717.7000, subpart 1, item I; 5225.0880; 5225.8600, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9; 5230.0010; 5230.0020; 5230.0040; 5230.0060, subpart 2; 5230.0100, subparts 1, 3, 4.

May 20, 2007

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 1208 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1208 be further amended as follows:

Page 97, line 2, delete "15" and insert "14"

Page 97, line 3, delete "Eleven" and insert "Twelve"

Page 97, line 10, delete "13" and insert "12"

Page 97, line 25, delete "two members" and insert "one member" and after "be" delete "public members" and insert "a public member"

Page 98, line 4, after the period, insert "The public member shall be appointed for a term to end December 31, 2010."

Page 174, after line 11, insert:

"The board shall make recommendations by October 1, 2008, to the chairs of the standing committees of the senate and house of representatives having jurisdiction over high pressure piping regulation on the ratio of licensed individual contracting high pressure pipefitters or licensed journeyman high pressure pipefitters to pipefitter apprentices or registered unlicensed individuals for purposes of supervision."

Page 176, line 21, delete "14" and insert "13" and delete "Eleven" and insert "Twelve"

Page 176, line 27, delete "13" and insert "12"

Page 177, line 7, delete "two members" and insert "one member" and after "be" delete "public members" and insert "a public member"

Page 177, line 19, after the period, insert "The public member shall be appointed for a term to end December 31, 2010."

We request the adoption of this report and repassage of the bill.

House Conferees: TIM MAHONEY, MICHAEL V. NELSON AND DENNIS OZMENT.

Senate Conferees: LINDA SCHEID, DAN SPARKS AND GEOFF MICHEL.

Mahoney moved that the report of the Conference Committee on H. F. No. 1208 be adopted and that the bill be repassed as amended by the Conference Committee.

Westrom moved that the House refuse to adopt the Conference Committee report on H. F. No. 1208 and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Westrom motion and the roll was called. There were 38 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eastlund	Hackbarth	McFarlane	Ruth	Wardlow
Anderson, S.	Emmer	Hamilton	McNamara	Seifert	Westrom
Brod	Erhardt	Heidgerken	Nornes	Severson	Zellers
Buesgens	Erickson	Holberg	Olson	Shimanski	
DeLaForest	Finstad	Kohls	Paulsen	Simpson	
Demmer	Garofalo	Lanning	Peppin	Sviggum	
Dettmer	Gottwalt	Magnus	Peterson, N.	Urdahl	

Those who voted in the negative were:

Abeler	Doty	Howes	Loeffler	Otremba	Solberg
Anzelc	Eken	Huntley	Madore	Paymar	Swails
Benson	Faust	Jaros	Mahoney	Pelowski	Thao
Bigham	Fritz	Johnson	Mariani	Peterson, A.	Thissen
Bly	Gardner	Juhnke	Marquart	Peterson, S.	Tillberry
Brown	Greiling	Kahn	Masin	Poppe	Tingelstad
Brynaert	Gunther	Kalin	Moe	Rukavina	Tschumper
Bunn	Hansen	Knuth	Morgan	Ruud	Wagenius
Clark	Hausman	Koenen	Morrow	Sailer	Ward
Cornish	Haws	Kranz	Mullery	Scalze	Welti
Davnie	Hilstrom	Laine	Murphy, E.	Sertich	Winkler
Dean	Hilty	Lesch	Murphy, M.	Simon	Wollschlager
Dill	Hornstein	Liebling	Nelson	Slawik	Spk. Kelliher
Dittrich	Hortman	Lieder	Norton	Slocum	
Dominguez	Hosch	Lillie	Olin	Smith	

The motion did not prevail.

The question recurred on the Mahoney motion that the report of the Conference Committee on H. F. No. 1208 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1208, A bill for an act relating to state government; changing provisions for construction codes and licensing provisions; providing penalties and enforcement; modifying provisions relating to the limitation on certain actions; instructing the revisor to renumber certain statutory sections; appropriating money; providing appropriation reductions; amending Minnesota Statutes 2006, sections 16B.04, subdivision 2; 16B.60, subdivisions 4, 7, 8, 11; 16B.61; 16B.615, subdivision 4; 16B.617; 16B.6175; 16B.63; 16B.64, by adding a subdivision; 16B.65; 16B.70; 16B.72; 16B.73; 16B.735; 16B.74, subdivisions 1, 2, by adding subdivisions; 16B.741; 16B.744; 16B.745, subdivisions 1, 4; 16B.747; 16B.748; 16B.76; 31.175; 103I.621, subdivision 3; 144.122; 144.99, subdivision 1; 175.16, subdivision 1; 178.01; 178.02; 178.03, subdivision 3; 178.041, subdivision 1; 183.38; 183.39, subdivision 1; 183.411, subdivision 2; 183.42; 183.45; 183.46; 183.465; 183.466; 183.48; 183.501; 183.505; 183.51; 183.54, subdivisions 1, 3; 183.545, by adding a subdivision; 183.56; 183.57, subdivisions 1, 2, 5, 6; 183.59; 183.60; 183.61, subdivisions 2, 4; 214.01, subdivision 3; 214.04, subdivisions 1, 3; 299F.011, subdivision 1; 325E.37, subdivision 6; 325E.58; 326.01, subdivisions 2, 3, 5, 6, 6a, 6b, 6c, 6e, 6f, 6g, 6j, 6k, 6l, 7, 8, by adding subdivisions; 326.242; 326.243; 326.244, subdivisions 1a, 2, 3, 4, 5, by adding a subdivision; 326.2441; 326.245; 326.248; 326.37; 326.38; 326.39; 326.40; 326.401; 326.405; 326.42; 326.46; 326.461, by adding subdivisions; 326.47; 326.48; 326.50; 326.57, subdivision 1; 326.58; 326.59; 326.60; 326.601; 326.61, subdivisions 1, 2, 3, 4; 326.62; 326.65; 326.83,

subdivisions 6, 7, 11, 18, 19, 20; 326.84; 326.841; 326.842; 326.86; 326.87; 326.88; 326.89; 326.90, subdivision 1; 326.91, subdivision 1; 326.92; 326.921; 326.93; 326.94; 326.95, subdivision 2; 326.96; 326.97; 326.975, subdivision 1; 326.992; 327.20, subdivision 1; 327.205; 327.31, subdivisions 2, 3, 4, 7, 15, by adding a subdivision; 327.32, subdivision 8; 327.33, subdivisions 2, 6, 7; 327.34, subdivision 3; 327.35, subdivisions 1, 2; 327A.01, subdivision 2; 327B.01, subdivisions 4, 5, 7, 17, by adding subdivisions; 327B.04, subdivisions 1, 4, 6, 7, 8, by adding a subdivision; 327B.05, subdivision 1; 327B.10; 363A.40, subdivision 1; 462.357, subdivision 6a; 462A.07, subdivision 8; 471.465; 471.466; 471.467; 471.471; 541.051; proposing coding for new law in Minnesota Statutes, chapters 326; 327B; proposing coding for new law as Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2006, sections 16B.665; 16B.747, subdivision 4; 183.001; 183.02; 183.375, subdivisions 1, 2, 3, 4, 5, 6; 183.41, subdivisions 1, 2, 3, 4; 183.44, subdivisions 1, 2, 3; 183.52; 183.54, subdivision 2; 183.545, subdivision 9; 183.61, subdivisions 1, 3, 5, 6; 326.01, subdivisions 4, 6h, 9, 10, 11, 12, 13; 326.241; 326.242, subdivisions 4, 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 9k, 10; 326.244, subdivision 6; 326.246; 326.2461; 326.247; 326.40, subdivision 4; 326.41; 326.44; 326.45; 326.47, subdivision 5; 326.51; 326.52; 326.521; 326.64; 326.83, subdivisions 3, 4, 12, 13; 326.85; 326.875; 326.91, subdivisions 2, 3, 4; 326.945; 326.975; 326.98; 327B.05, subdivisions 2, 3, 4, 5, 6; Minnesota Rules, parts 2809.0230; 2891.0010; 2891.0030; 3800.2650; 3800.3580; 3800.3590; 3800.3630; 3800.3750; 3800.3835; 4715.5600; 4715.5900; 4717.7000, subpart 1, item I; 5225.0880; 5225.8600, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9; 5230.0010; 5230.0020; 5230.0040; 5230.0060, subpart 2; 5230.0100, subparts 1, 3, 4.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 90 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Howes	Loeffler	Olin	Slocum
Anzelc	Erhardt	Huntley	Madore	Otremba	Smith
Benson	Faust	Jaros	Mahoney	Paymar	Solberg
Bigham	Fritz	Johnson	Mariani	Pelowski	Swails
Bly	Gardner	Juhnke	Marquart	Peterson, A.	Thao
Brown	Greiling	Kahn	Masin	Peterson, N.	Thissen
Brynaert	Gunther	Kalin	McNamara	Peterson, S.	Tillberry
Bunn	Hansen	Knuth	Moe	Poppe	Tingelstad
Clark	Hausman	Koenen	Morgan	Rukavina	Tschumper
Davnie	Haws	Kranz	Morrow	Ruud	Wagenius
Dean	Hilstrom	Laine	Mullery	Sailer	Ward
Dill	Hilty	Lesch	Murphy, E.	Scalze	Welti
Dittrich	Hornstein	Liebling	Murphy, M.	Sertich	Winkler
Dominguez	Hortman	Lieder	Nelson	Simon	Wollschlager
Doty	Hosch	Lillie	Norton	Slawik	Spk. Kelliher

Those who voted in the negative were:

Anderson, B.	Demmer	Garofalo	Kohls	Paulsen	Simpson
Anderson, S.	Dettmer	Gottwalt	Lanning	Peppin	Sviggum
Brod	Eastlund	Hackbarth	Magnus	Ruth	Urdahl
Buesgens	Emmer	Hamilton	McFarlane	Seifert	Wardlow
Cornish	Erickson	Heidgerken	Nornes	Severson	Westrom
DeLaForest	Finstad	Holberg	Olson	Shimanski	Zellers

The bill was repassed, as amended by Conference, and its title agreed to.

CALENDAR FOR THE DAY

S. F. No. 1196, A bill for an act relating to housing; creating the Minnesota manufactured home relocation trust fund; requiring that a manufactured home park owner make specified payments to the trust fund; requiring an owner of a manufactured home who rents a lot in a manufactured home park to make an annual payment to the trust fund; authorizing advances to the Minnesota manufactured home relocation trust fund; amending Minnesota Statutes 2006, sections 327C.095, subdivisions 1, 4, by adding subdivisions; 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler	Doty	Hilty	Lieder	Olin	Slocum
Anderson, B.	Eastlund	Hornstein	Lillie	Otremba	Solberg
Anzenc	Eken	Hortman	Loeffler	Ozment	Swails
Atkins	Erhardt	Hosch	Madore	Paymar	Thao
Beard	Erickson	Howes	Magnus	Pelowski	Thissen
Benson	Faust	Huntley	Mahoney	Peterson, A.	Tillberry
Bigham	Finstad	Jaros	Mariani	Peterson, N.	Tingelstad
Bly	Fritz	Johnson	Marquart	Peterson, S.	Tschumper
Brod	Gardner	Juhnke	Masin	Poppe	Urdahl
Brown	Garofalo	Kahn	McFarlane	Rukavina	Wagenius
Brynaert	Gottwalt	Kalin	McNamara	Ruth	Walker
Bunn	Greiling	Knuth	Moe	Ruud	Ward
Carlson	Gunther	Koenen	Morgan	Sailer	Wardlow
Clark	Hamilton	Kranz	Morrow	Scalze	Walti
Cornish	Hansen	Laine	Mullery	Sertich	Winkler
Davnie	Hausman	Lanning	Murphy, E.	Severson	Wollschlager
Dill	Haws	Lenczewski	Murphy, M.	Shimanski	Spk. Kelliher
Dittrich	Heidgerken	Lesch	Nelson	Simon	
Dominguez	Hilstrom	Liebling	Norton	Slawik	

Those who voted in the negative were:

Anderson, S.	DeLaForest	Hackbarth	Nornes	Seifert	Westrom
Berns	Demmer	Holberg	Olson	Simpson	Zellers
Buesgens	Dettmer	Hoppe	Paulsen	Smith	
Dean	Emmer	Kohls	Peppin	Sviggum	

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 2293, A bill for an act relating to claims against the state; providing for settlement of various claims; appropriating money.

H. F. No. 1175, A bill for an act relating to state finance; modifying certain statutory provisions relating to aircraft facilities; modifying aircraft facilities state financing to allow flexibility in obtaining a new lessee for the facility; amending Minnesota Statutes 2006, sections 116R.01, subdivision 6; 116R.02, subdivisions 1, 2, 4, 5; 116R.03; 116R.05, subdivision 2; 116R.11, subdivision 1; 116R.12, by adding a subdivision; 272.01, subdivision 2; 290.06, subdivision 24; 297A.71, subdivision 10; 360.013, subdivision 39; 360.032, subdivision 1; 360.038, subdivision 4; repealing Minnesota Statutes 2006, sections 116R.02, subdivisions 3, 6, 7, 9; 116R.16.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2285, A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts for natural resource and cultural heritage purposes; creating a natural heritage fund; creating a parks and trails fund; creating a clean water fund; creating a sustainable drinking water fund; creating an arts and cultural heritage fund; amending Minnesota Statutes 2006, sections 114D.20, subdivision 6; 114D.30, subdivision 6; 114D.45; 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103H; 129D.

The Senate has appointed as such committee:

Senators Pogemiller, Frederickson, Cohen, Anderson and Chaudhary.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 184.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. No. 184

A bill for an act relating to health; authorizing registered nurses to dispense oral contraceptives in family planning clinics; expanding the definition of a governmental unit; providing for adjustment of medical assistance reimbursement rates for family planning clinics; amending Minnesota Statutes 2006, sections 148.235, by adding a subdivision; 471.59, subdivision 1.

May 19, 2007

The Honorable James P. Metzen
President of the Senate

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 184 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 184 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 16C.03, subdivision 10, as amended by Laws 2007, chapter 83, section 1, is amended to read:

Subd. 10. **Cooperative purchasing.** The commissioner is authorized to enter into a cooperative purchasing agreement for the provision of goods, services, and utilities with one or more other states or governmental units, as described in section 471.59, subdivision 1, entities defined in section 16C.23, subdivision 1, a registered combined charitable organization and its affiliated agencies as defined by section 309.501, ~~or~~ a charitable organization defined in section 309.50, subdivision 4, that is also a recipient of a state grant or contract, or a nonprofit community health clinic defined in section 145.9268. The commissioner is authorized to enter into cooperative purchasing agreements for the purchase of goods, services, and utilities with health care facilities that are required to provide indigent care or any entity recognized by another state's statutes as authorized to use that state's commodity or service contracts.

Sec. 2. Minnesota Statutes 2006, section 148.235, is amended by adding a subdivision to read:

Subd. 11. **Dispensing by protocol.** Subject to the requirements of this subdivision, a registered nurse in a family planning agency as defined in Minnesota Rules, part 9505.0280, subpart 3, may dispense oral contraceptives prescribed by a licensed practitioner as defined in section 151.01, subdivision 23, pursuant to a dispensing protocol established by the agency's medical director or under the direction of a physician. The dispensing protocol must address the requirements of sections 151.01, subdivision 30; and 151.212, subdivision 1. In addition, the registered nurse may not dispense oral contraceptives if the patient is under 12 years of age.

Sec. 3. **FAMILY PLANNING REIMBURSEMENT RATES.**

The commissioner of human services shall work with family planning clinics to determine a proposed adjusted medical assistance reimbursement rate or rates for family planning services to adequately cover the cost of covering those services. The commissioner shall report to the legislature the proposed adjusted rates by January 15, 2008."

Delete the title and insert:

"A bill for an act relating to health; authorizing registered nurses to dispense oral contraceptives in family planning clinics; providing for adjustment of medical assistance reimbursement rates for family planning clinics; amending Minnesota Statutes 2006, sections 16C.03, subdivision 10, as amended; 148.235, by adding a subdivision."

We request the adoption of this report and repassage of the bill.

Senate Conferees: JOHN MARTY, PATRICIA TORRES RAY AND TERRI E. BONOFF.

House Conferees: THOMAS HUNTLEY, DIANE LOEFFLER AND RON ERHARDT.

Huntley moved that the report of the Conference Committee on S. F. No. 184 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 184, A bill for an act relating to health; authorizing registered nurses to dispense oral contraceptives in family planning clinics; expanding the definition of a governmental unit; providing for adjustment of medical assistance reimbursement rates for family planning clinics; amending Minnesota Statutes 2006, sections 148.235, by adding a subdivision; 471.59, subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 93 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Abeler	Dominguez	Huntley	Madore	Otremba	Solberg
Anzelc	Doty	Jaros	Mahoney	Paymar	Swails
Atkins	Eken	Johnson	Mariani	Pelowski	Thao
Benson	Erhardt	Juhnke	Marquart	Peterson, A.	Thissen
Berns	Faust	Kahn	Masin	Peterson, N.	Tillberry
Bigham	Fritz	Kalin	McFarlane	Peterson, S.	Tschumper
Bly	Gardner	Knuth	McNamara	Poppe	Wagenius
Brown	Greiling	Koenen	Moe	Rukavina	Walker
Brynaert	Hansen	Kranz	Morgan	Ruth	Ward
Bunn	Hausman	Laine	Morrow	Ruud	Welti
Carlson	Haws	Lenczewski	Mullery	Sailer	Winkler
Clark	Hilstrom	Lesch	Murphy, E.	Scalze	Wollschlager
Cornish	Hilty	Liebling	Murphy, M.	Sertich	Spk. Kelliher
Davnie	Hornstein	Lieder	Nelson	Simon	
Dill	Hortman	Lillie	Norton	Slawik	
Dittrich	Hosch	Loeffler	Olin	Slocum	

Those who voted in the negative were:

Anderson, B.	Demmer	Gottwalt	Howes	Paulsen	Sviggum
Anderson, S.	Dettmer	Gunther	Kohls	Peppin	Tingelstad
Beard	Eastlund	Hackbarth	Lanning	Seifert	Urdahl
Brod	Emmer	Hamilton	Magnus	Severson	Wardlow
Buesgens	Erickson	Heidgerken	Nornes	Shimanski	Westrom
Dean	Finstad	Holberg	Olson	Simpson	Zellers
DeLaForest	Garofalo	Hoppe	Ozment	Smith	

The bill was repassed, as amended by Conference, and its title agreed to.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. No. 464

A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; amending Minnesota Statutes 2006, sections 3.971, subdivision 6; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297L.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62A.

May 21, 2007

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 464 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 464 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 3.971, subdivision 6, is amended to read:

Subd. 6. **Financial audits.** The legislative auditor shall audit the financial statements of the state of Minnesota required by section 16A.50 and, as resources permit, shall audit Minnesota State Colleges and Universities, the University of Minnesota, state agencies, departments, boards, commissions, courts, and other state organizations subject to audit by the legislative auditor, including the State Agricultural Society, Agricultural Utilization Research Institute, Minnesota Technology, Inc., the Minnesota School Employee Insurance Board, Minnesota Historical Society, Labor Interpretive Center, Minnesota Partnership for Action Against Tobacco, Metropolitan Sports Facilities Commission, Metropolitan Airports Commission, and Metropolitan Mosquito Control District. Financial audits must be conducted according to generally accepted government auditing standards. The legislative auditor shall see that all provisions of law respecting the appropriate and economic use of public funds are complied with and may, as part of a financial audit or separately, investigate allegations of noncompliance by employees of departments and agencies of the state government and the other organizations listed in this subdivision.

Sec. 2. Minnesota Statutes 2006, section 13.203, is amended to read:

13.203 SERVICE COOPERATIVE AND SCHOOL EMPLOYEE INSURANCE BOARD CLAIMS DATA.

(a) Claims experience and ~~all~~ related information received from carriers and claims administrators participating in a group health or dental plan, including any long-term disability plan, offered through the Minnesota service cooperatives to Minnesota school districts and other political subdivisions or by the Minnesota School Employee Insurance Board created under section 62A.662, and survey information collected from employees and employers participating in these plans and programs, ~~except when the executive director of a Minnesota service cooperative determines that release of the data will not be detrimental to the plan or program~~, are classified as nonpublic data ~~not on individuals~~.

(b) Data that are classified as nonpublic data under paragraph (a) may be disclosed if the executive director of a Minnesota service cooperative or the Minnesota School Employee Insurance Board determines that release of the data will not be detrimental to the plan or program.

Sec. 3. **62A.662 SCHOOL EMPLOYEE INSURANCE PLAN.**

Subdivision 1. Definitions. For purposes of this section:

(1) "eligible employee" means a person who is insurance eligible under a collective bargaining agreement or under the personnel policy of an eligible employer; and

(2) "eligible employer" means a school district as defined in section 120A.05; a service cooperative as defined in section 123A.21; an intermediate district as defined in section 136D.01; a cooperative center for vocational education as defined in section 123A.22; a regional management information center as defined in section 123A.23; an education unit organized under section 471.59; or a charter school organized under section 124D.10.

(3) "health plan" means a health plan as defined in section 62A.011; and

(4) "self-insured health benefit plan" means self-insured health care coverage that is offered by the Minnesota School Employee Insurance Board under this section.

Subd. 2. Creation of board. (a) The Minnesota School Employee Insurance Board is created as a public corporation subject to the provisions of chapter 317A, except as otherwise provided in this section. As provided in section 15.082, the state is not liable for obligations of this public corporation. An eligible employer is not liable for obligations of this public corporation.

(b) The board shall create and administer the Minnesota school employee insurance pool as described in this section.

(c) Insurance plans and offerings must be effective July 1, 2009.

(d) If the board does not offer coverage by December 15, 2010, the board expires and this section expires on that date.

Subd. 3. Board of directors. (a) The Minnesota School Employee Insurance Board consists of:

(1) seven members representing exclusive representatives of eligible employees, appointed by exclusive representatives, as provided in paragraph (b); and

(2) seven members representing eligible employers, appointed by the Minnesota School Boards Association.

(b) The seven members of the board who represent statewide affiliates of exclusive representatives of eligible employees are appointed as follows: four members appointed by Education Minnesota and one member each appointed by the Service Employees International Union, the Minnesota School Employees Association, and American Federation of State, County, and Municipal Employees.

(c) Appointing authorities must make their initial appointments no later than August 1, 2007, by filing a notice of the appointment with the commissioner of commerce. Notices of subsequent appointments must be filed with the board. An entity entitled to appoint a board member may replace the board member at any time.

(d) Board members are eligible for compensation and expense reimbursement under section 15.0575, subdivision 3.

(e) The board must arrange for one or more methods of dispute resolution so as to minimize the possibility of deadlocks.

(f) The board shall establish governance requirements, which may include staggered terms, term limits, quorum, a plan of operation, and audit provisions. The board is subject to financial audit by the legislative auditor under section 3.971, subdivision 6.

Subd. 4. Design and nature of plan. (a) Health coverage offered through the Minnesota school employee insurance pool shall be made available by the board to all eligible employees of eligible employers, as defined in subdivision 1.

(b) If an eligible employer provides health coverage or money to purchase health coverage to eligible employees, the coverage must be provided or purchased only through the health plans or self-insured health benefit plans offered by the board.

(c) Nothing in this section affects the right of each eligible employer to determine, through collective bargaining under the public employment labor relations act:

(1) the employer's eligibility requirements regarding the terms and conditions under which employees, dependents, retirees, and other persons are eligible for health coverage from the employer;

(2) how much of the premium charged for the insurance will be paid by the employer and how much will be paid by the eligible person; and

(3) which health plans or self-insured health benefit plans offered by the board will be made available by the eligible employer.

(d) The board must initially offer at least six health plans or self-insured health benefit plans. One plan must provide coverage without a deductible and without other enrollee cost-sharing other than reasonable co-payments for nonpreventive care. One plan must be a high-deductible health plan that qualifies under federal law for use with a health savings account. The other four plans must have levels of enrollee cost-sharing that are between the two plans just described. The board may establish more than one tier of premium rates for any specific plan. Plans and premium rates may vary across geographic regions established by the board. Any health plan or self-insured health benefit plan offered by the board must comply with chapters 62A, 62J, 62M, 62Q, and 72A, and must provide the optimal combination of coverage, cost, choice, and stability in the judgment of the board. Any health plan or self-insured health benefit plan offered must be approved by the commissioner of commerce. The board shall investigate the feasibility of offering coverage through more than one health plan company or other network of health care providers.

(e) The board must include claims reserves, stabilization reserves, reinsurance, and other features that, in the judgment of the board, will result in long-term stability and solvency of the health plans and self-insured health benefit plans offered.

(f) The board may determine whether the plans should be fully insured through a health carrier licensed in this state, self-insured, or a combination of those two alternatives. If at any time any plan offered by the board is not fully insured, the board and the self-insured health benefit plan are subject to section 471.617 and any rules adopted under that section, including Minnesota Rules, chapter 2785.

(g) Any health plan or self-insured health benefit plan must include disease management and consumer education, including wellness programs and measures encouraging the wise use of health coverage, to the extent determined to be appropriate by the board.

(h) Upon request of the board, entities that are providing or have provided coverage to employees of eligible employers within two years before the effective date of this section, shall provide to the board at no charge nonidentifiable aggregate claims data for that coverage. The information must include data relating to employee group benefit sets, demographics, and claims experience. Notwithstanding section 13.203, Minnesota service cooperatives must also comply with this paragraph.

(i) Effective July 1, 2009, a contract entered into between an eligible employer and an eligible employee or the exclusive representative of an eligible employee may not contain provisions that establish cash payment in lieu of health insurance to an eligible employee if the employee is not receiving the payment on or before June 30, 2009. Nothing in this section prevents an eligible employee who otherwise qualifies for payment of cash in lieu of insurance on June 30, 2009, from continuing to receive this payment.

(j) All premiums paid for health coverage provided by the board must be used by the board solely for the cost of the operation of the board and the benefit of eligible employees and eligible employers in connection with the health coverage offered by the board.

Subd. 5. **MCHA membership and assessments.** The board is a contributing member of the Minnesota Comprehensive Health Association and must pay assessments made by the association on its premium revenues, as provided in section 62E.11, subdivision 5, paragraph (b).

Subd. 6. **Report.** The board shall report to the legislature and to the commissioner of commerce by January 15, 2009, on a final design for the pool that complies with subdivision 4 and on governance requirements for the board, which may include staggered terms, term limits, quorum, and a plan of operation and audit provisions. The report must include any legislative changes necessary to ensure conformance with chapters 62A, 62J, 62M, 62Q, and 72A.

Subd. 7. **Progress dependent upon funding.** The board shall carry out its obligations to the extent permitted by financial and other resources available to the board for that purpose. The board may seek and accept gifts and grants.

Subd. 8. **Periodic evaluation.** (a) Beginning December 15, 2009, and for the next two years, the board must submit an annual report to the commissioner of commerce and the legislature, in compliance with sections 3.195 and 3.197, summarizing and evaluating the performance of the pool during the previous year of operation.

(b) Beginning in 2013 and in each odd-numbered year thereafter, the board must submit to the legislature a biennial report summarizing and evaluating the performance of the pool during the preceding two fiscal years.

Subd. 9. **Actuarial study; MCHA and tax effects.** (a) The board shall have a study prepared by a qualified actuary that estimates for the first two fiscal years of operation of the pool:

(1) the rate of assessment for losses of the comprehensive health insurance plan under section 62E.11, subdivision 5, to be paid by the pool that would provide amounts equal to the assessments that would have been paid by providers of coverage to eligible employers if the pool had not been established; and

(2) the rate of tax under section 297I.05, subdivision 5, paragraph (b), that would provide amounts equal to the premiums tax that would have been paid by providers of coverage to eligible employers if the pool had not been established. This estimate must include the separate amounts of the tax that would have been paid under (i) section 297I.05, subdivisions 1 to 4, and (ii) section 297I.05, subdivision 5.

(b) The board shall provide the study to the commissioners of commerce and revenue by January 1, 2009.

(c) After review of the study and after making any necessary modifications or adjustments, the commissioner of commerce shall certify the rate under section 62E.11, subdivision 5, paragraph (b), clause (2), and shall notify the board and the association of the rate by March 1, 2009. The rate certified applies until modified by legislation enacted into law.

(d) After review of the study and after making any necessary modifications or adjustments, the commissioner of revenue shall certify the rate of tax under section 297I.05, subdivision 5, paragraph (b), by March 1, 2009. The rate certified applies until modified by legislation enacted into law.

Subd. 10. **Applicability of data practices laws.** The board is a government entity subject to chapter 13.

Sec. 4. Minnesota Statutes 2006, section 62E.02, subdivision 23, is amended to read:

Subd. 23. **Contributing member.** "Contributing member" means those companies regulated under chapter 62A and offering, selling, issuing, or renewing policies or contracts of accident and health insurance; health maintenance organizations regulated under chapter 62D; nonprofit health service plan corporations regulated under chapter 62C; community integrated service networks regulated under chapter 62N; fraternal benefit societies regulated under chapter 64B; the Minnesota employees insurance program established in section 43A.317, effective July 1, 1993; ~~and~~ joint self-insurance plans regulated under chapter 62H; and the Minnesota School Employee Insurance Board created under section 62A.662. For the purposes of determining liability of contributing members pursuant to section 62E.11 payments received from or on behalf of Minnesota residents for coverage by a health maintenance organization ~~or a community integrated service network, or the Minnesota School Employee Insurance Board~~ shall be considered to be accident and health insurance premiums.

Sec. 5. Minnesota Statutes 2006, section 62E.10, subdivision 1, is amended to read:

Subdivision 1. **Creation; tax exemption.** There is established a Comprehensive Health Association to promote the public health and welfare of the state of Minnesota with membership consisting of all insurers; self-insurers; fraternal; joint self-insurance plans regulated under chapter 62H; the Minnesota employees insurance program established in section 43A.317, effective July 1, 1993; the Minnesota School Employee Insurance Board created under section 62A.662; health maintenance organizations; and community integrated service networks licensed or authorized to do business in this state. The Comprehensive Health Association is exempt from the taxes imposed under chapter 297I and any other laws of this state and all property owned by the association is exempt from taxation.

Sec. 6. Minnesota Statutes 2006, section 62E.11, subdivision 5, is amended to read:

Subd. 5. **Allocation of losses.** (a) Each contributing member of the association shall share the losses due to claims expenses of the comprehensive health insurance plan for plans issued or approved for issuance by the association, and shall share in the operating and administrative expenses incurred or estimated to be incurred by the

association incident to the conduct of its affairs. Claims expenses of the state plan which exceed the premium payments allocated to the payment of benefits shall be the liability of the contributing members. Contributing members shall share in the claims expense of the state plan and operating and administrative expenses of the association in an amount equal to the ratio of the contributing member's total accident and health insurance premium, received from or on behalf of Minnesota residents as divided by the total accident and health insurance premium, received by all contributing members from or on behalf of Minnesota residents, as determined by the commissioner. Payments made by the state to a contributing member for medical assistance, MinnesotaCare, or general assistance medical care services according to chapters 256, 256B, and 256D shall be excluded when determining a contributing member's total premium.

(b) In making the allocation of losses provided in paragraph (a), the association's assessment against the Minnesota School Employee Insurance Board must equal the product of: (1) the percentage of premiums assessed against other association members; (2) the rate certified by the commissioner under section 62A.662, subdivision 9, paragraph (c); and (3) premiums received by the Minnesota School Employee Insurance Board. For purposes of this calculation, premiums of the board used must be net of rate credits and retroactive rate refunds on the same basis as the premiums of other association members.

Sec. 7. Minnesota Statutes 2006, section 297I.05, subdivision 5, is amended to read:

Subd. 5. **Health maintenance organizations, nonprofit health service plan corporations, ~~and~~ community integrated service networks, and the Minnesota School Employee Insurance Board.** (a) A tax is imposed on health maintenance organizations, community integrated service networks, and nonprofit health care service plan corporations. The rate of tax is equal to one percent of gross premiums less return premiums on all direct business received by the organization, network, or corporation or its agents in Minnesota, in cash or otherwise, in the calendar year.

(b) A tax is imposed on the Minnesota School Employee Insurance Board under section 62A.662, to the extent the board receives amounts for coverage not otherwise subject to tax under this section. The rate of tax is equal to the percentage rate certified by the commissioner under section 62A.662, subdivision 9, paragraph (d), multiplied by the gross premiums less return premiums received in the calendar year.

(c) The commissioner shall deposit all revenues, including penalties and interest, collected under this chapter from health maintenance organizations, community integrated service networks, and nonprofit health service plan corporations in the health care access fund. Refunds of overpayments of tax imposed by this subdivision must be paid from the health care access fund. There is annually appropriated from the health care access fund to the commissioner the amount necessary to make any refunds of the tax imposed under this subdivision.

(d) By March 1, 2009, based on the study prepared under section 62A.662, subdivision 9, paragraph (a), the commissioner shall certify the percentage of all revenues, including penalties and interest, collected under this chapter from the Minnesota School Employee Insurance Board, that are to be deposited in the general fund and the health care access fund. The commissioner shall deposit the revenues and pay refunds of overpayments of tax imposed on the Minnesota School Employee Insurance Board based on the certified percentage. Amounts are appropriated from the respective funds to the commissioner to make any refunds of tax imposed under paragraph (b).

Sec. 8. **INITIAL MEETING.**

The commissioner of commerce shall convene the first meeting of the Minnesota School Employee Insurance Board no later than 30 days after all board members have been appointed. The board must elect a chair or cochair from its membership at its first meeting.

Sec. 9. **APPROPRIATION.**

\$4,000,000 is appropriated in fiscal year 2008 from the general fund to the commissioner of commerce as a loan for start-up costs to the Minnesota School Employee Insurance Board. The Minnesota School Employee Insurance Board must repay the loan to the general fund in ten equal installments paid at the end of each fiscal year, beginning with the 2010 fiscal year.

Sec. 10. **EFFECTIVE DATE.**

This act is effective July 1, 2007, except that sections 6 and 7, paragraph (b), are effective July 1, 2009."

Delete the title and insert:

"A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; amending Minnesota Statutes 2006, sections 3.971, subdivision 6; 13.203; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297I.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62A."

We request the adoption of this report and repassage of the bill.

House Conferees: ANTHONY "TONY" SERTICH, ERIN MURPHY AND BOB GUNTHER.

Senate Conferees: DON BETZOLD AND JIM VICKERMAN.

Sertich moved that the report of the Conference Committee on H. F. No. 464 be adopted and that the bill be repassed as amended by the Conference Committee.

Emmer moved that the House refuse to adopt the Conference Committee report on H. F. No. 464 and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Emmer motion and the roll was called. There were 51 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Davnie	Finstad	Kohls	Olson	Simpson
Anderson, S.	Dean	Gardner	Lanning	Paulsen	Slawik
Beard	DeLaForest	Garofalo	Lillie	Peppin	Wagenius
Benson	Demmer	Gottwalt	Loeffler	Peterson, N.	Wardlow
Berns	Dettmer	Greiling	Masin	Ruth	Westrom
Brod	Eastlund	Hackbarth	McFarlane	Ruud	Zellers
Brynaert	Emmer	Holberg	McNamara	Seifert	
Buesgens	Erhardt	Hoppe	Nornes	Severson	
Bunn	Erickson	Kahn	Norton	Shimanski	

Those who voted in the negative were:

Abeler	Faust	Jaros	Mahoney	Pelowski	Thao
Anzelc	Fritz	Johnson	Mariani	Peterson, A.	Thissen
Atkins	Gunther	Juhnke	Marquart	Peterson, S.	Tillberry
Bigham	Hamilton	Kalin	Moe	Poppe	Tingelstad
Bly	Hansen	Knuth	Morgan	Rukavina	Tschumper
Brown	Hausman	Koenen	Morrow	Sailer	Urdahl
Carlson	Haws	Kranz	Mullery	Scalze	Walker
Clark	Heidgerken	Laine	Murphy, E.	Sertich	Ward
Cornish	Hilstrom	Lenczewski	Murphy, M.	Simon	Welti
Dill	Hornstein	Lesch	Nelson	Slocum	Winkler
Dittrich	Hortman	Liebling	Olin	Smith	Wollschlager
Dominguez	Hosch	Lieder	Otremba	Solberg	Spk. Kelliher
Doty	Howes	Madore	Ozment	Sviggum	
Eken	Huntley	Magnus	Paymar	Swails	

The motion did not prevail.

The question recurred on the Sertich motion that the report of the Conference Committee on H. F. No. 464 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 464, A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; amending Minnesota Statutes 2006, sections 3.971, subdivision 6; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297I.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62A.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 83 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abeler	Faust	Huntley	Madore	Otremba	Swails
Anzelc	Fritz	Jaros	Magnus	Ozment	Thao
Atkins	Gunther	Johnson	Mahoney	Paymar	Thissen
Bigham	Hamilton	Juhnke	Mariani	Pelowski	Tillberry
Bly	Hansen	Kahn	Marquart	Peterson, A.	Tingelstad
Brown	Hausman	Kalin	Masin	Peterson, S.	Tschumper
Carlson	Haws	Knuth	Moe	Poppe	Urdahl
Clark	Heidgerken	Koenen	Morgan	Rukavina	Walker
Cornish	Hilstrom	Kranz	Mullery	Sailer	Ward
Dill	Hilty	Laine	Murphy, E.	Scalze	Wardlow
Dittrich	Hornstein	Lenczewski	Murphy, M.	Sertich	Welti
Dominguez	Hortman	Lesch	Nelson	Slocum	Wollschlager
Doty	Hosch	Liebling	Nornes	Solberg	Spk. Kelliher
Eken	Howes	Lieder	Olin	Sviggum	

Those who voted in the negative were:

Anderson, B.	Davnie	Finstad	Lanning	Peppin	Slawik
Anderson, S.	Dean	Gardner	Lillie	Peterson, N.	Smith
Beard	DeLaForest	Garofalo	Loeffler	Ruth	Wagenius
Benson	Demmer	Gottwalt	McFarlane	Ruud	Westrom
Berns	Dettmer	Greiling	McNamara	Seifert	Winkler
Brod	Eastlund	Hackbarth	Morrow	Severson	Zellers
Brynaert	Emmer	Holberg	Norton	Shimanski	
Buesgens	Erhardt	Hoppe	Olson	Simon	
Bunn	Erickson	Kohls	Paulsen	Simpson	

The bill was repassed, as amended by Conference, and its title agreed to.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Madam Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1208, A bill for an act relating to state government; changing provisions for construction codes and licensing provisions; providing penalties and enforcement; modifying provisions relating to the limitation on certain actions; instructing the revisor to renumber certain statutory sections; appropriating money; providing appropriation reductions; amending Minnesota Statutes 2006, sections 16B.04, subdivision 2; 16B.60, subdivisions 4, 7, 8, 11; 16B.61; 16B.615, subdivision 4; 16B.617; 16B.6175; 16B.63; 16B.64, by adding a subdivision; 16B.65; 16B.70; 16B.72; 16B.73; 16B.735; 16B.74, subdivisions 1, 2, by adding subdivisions; 16B.741; 16B.744; 16B.745, subdivisions 1, 4; 16B.747; 16B.748; 16B.76; 31.175; 103I.621, subdivision 3; 144.122; 144.99, subdivision 1; 175.16, subdivision 1; 178.01; 178.02; 178.03, subdivision 3; 178.041, subdivision 1; 183.38; 183.39, subdivision 1; 183.411, subdivision 2; 183.42; 183.45; 183.46; 183.465; 183.466; 183.48; 183.501; 183.505; 183.51; 183.54, subdivisions 1, 3; 183.545, by adding a subdivision; 183.56; 183.57, subdivisions 1, 2, 5, 6; 183.59; 183.60; 183.61, subdivisions 2, 4; 214.01, subdivision 3; 214.04, subdivisions 1, 3; 299F.011, subdivision 1; 325E.37, subdivision 6; 325E.58; 326.01, subdivisions 2, 3, 5, 6, 6a, 6b, 6c, 6e, 6f, 6g, 6j, 6k, 6l, 7, 8, by adding subdivisions; 326.242; 326.243; 326.244, subdivisions 1a, 2, 3, 4, 5, by adding a subdivision; 326.2441; 326.245; 326.248; 326.37; 326.38; 326.39; 326.40; 326.401; 326.405; 326.42; 326.46; 326.461, by adding subdivisions; 326.47; 326.48; 326.50; 326.57, subdivision 1; 326.58; 326.59; 326.60; 326.601; 326.61, subdivisions 1, 2, 3, 4; 326.62; 326.65; 326.83, subdivisions 6, 7, 11, 18, 19, 20; 326.84; 326.841; 326.842; 326.86; 326.87; 326.88; 326.89; 326.90, subdivision 1; 326.91, subdivision 1; 326.92; 326.921; 326.93; 326.94; 326.95, subdivision 2; 326.96; 326.97; 326.975, subdivision 1; 326.992; 327.20, subdivision 1; 327.205; 327.31, subdivisions 2, 3, 4, 7, 15, by adding a subdivision;

327.32, subdivision 8; 327.33, subdivisions 2, 6, 7; 327.34, subdivision 3; 327.35, subdivisions 1, 2; 327A.01, subdivision 2; 327B.01, subdivisions 4, 5, 7, 17, by adding subdivisions; 327B.04, subdivisions 1, 4, 6, 7, 8, by adding a subdivision; 327B.05, subdivision 1; 327B.10; 363A.40, subdivision 1; 462.357, subdivision 6a; 462A.07, subdivision 8; 471.465; 471.466; 471.467; 471.471; 541.051; proposing coding for new law in Minnesota Statutes, chapters 326; 327B; proposing coding for new law as Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2006, sections 16B.665; 16B.747, subdivision 4; 183.001; 183.02; 183.375, subdivisions 1, 2, 3, 4, 5, 6; 183.41, subdivisions 1, 2, 3, 4; 183.44, subdivisions 1, 2, 3; 183.52; 183.54, subdivision 2; 183.545, subdivision 9; 183.61, subdivisions 1, 3, 5, 6; 326.01, subdivisions 4, 6h, 9, 10, 11, 12, 13; 326.241; 326.242, subdivisions 4, 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 9k, 10; 326.244, subdivision 6; 326.246; 326.2461; 326.247; 326.40, subdivision 4; 326.41; 326.44; 326.45; 326.47, subdivision 5; 326.51; 326.52; 326.521; 326.64; 326.83, subdivisions 3, 4, 12, 13; 326.85; 326.875; 326.91, subdivisions 2, 3, 4; 326.945; 326.975; 326.98; 327B.05, subdivisions 2, 3, 4, 5, 6; Minnesota Rules, parts 2809.0230; 2891.0010; 2891.0030; 3800.2650; 3800.3580; 3800.3590; 3800.3630; 3800.3750; 3800.3835; 4715.5600; 4715.5900; 4717.7000, subpart 1, item I; 5225.0880; 5225.8600, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9; 5230.0010; 5230.0020; 5230.0040; 5230.0060, subpart 2; 5230.0100, subparts 1, 3, 4.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1063, A bill for an act relating to environment; adopting the Uniform Environmental Covenants Act; amending Minnesota Statutes 2006, sections 115.072; 115B.17, subdivision 15; proposing coding for new law as Minnesota Statutes, chapter 114E.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simon moved that the House concur in the Senate amendments to H. F. No. 1063 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1063, A bill for an act relating to higher education; appropriating money; amending certain Minnesota Office of Higher Education provisions; requiring a risk analysis; establishing new grant and loan repayment programs; amending higher education programs; requiring certain studies; making technical changes; requiring summary statistics in required reports; repealing certain data sharing and collecting requirements; modifying financial aid programs; establishing the Minnesota GI Bill program; establishing the Achieve Scholarship Program; regulating private higher education institutions; providing penalties; amending certain grant programs; eliminating obsolete references; authorizing control of certain decreasing students' share of attendance; increasing revenue bond limits; authorizing control of certain deposits; authorizing lease agreements; authorizing interest rate swap;

providing for the Textbook Disclosure, Pricing, and Access Act; amending Minnesota Statutes 2006, sections 13.322, subdivision 3; 41D.01, subdivision 1; 135A.01; 135A.031, subdivisions 1, 7; 135A.034, subdivision 1; 135A.51, subdivision 2; 135A.52, subdivisions 1, 2; 136A.031, subdivision 5; 136A.08, subdivision 7; 136A.101, subdivisions 4, 5a; 136A.121, subdivision 7a, by adding a subdivision; 136A.125, subdivisions 2, 4; 136A.15, subdivisions 1, 6; 136A.16, subdivision 8, by adding a subdivision; 136A.1702; 136A.233, subdivision 3; 136A.29, subdivision 9; 136A.61; 136A.62, subdivision 3; 136A.63; 136A.64; 136A.65; 136A.657, by adding a subdivision; 136A.66; 136A.67; 136A.68; 136A.69; 136A.861, subdivisions 1, 2, 3, 6; 136F.02, subdivision 1; 136F.03, subdivisions 3, 4; 136F.42, subdivision 1; 136F.58; 136F.71, subdivision 2, by adding a subdivision; 136G.11, subdivision 5; 137.0245, subdivisions 1, 4; 137.0246; 141.21, subdivisions 1a, 5; 141.25, subdivisions 1, 5, 7, 9, 10, 12; 141.255, subdivision 2; 141.265, subdivision 2; 141.271, subdivisions 10, 12; 141.28, subdivision 1; 141.32; 141.35; 197.775, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 137; 141; 197; repealing Minnesota Statutes 2006, sections 135A.031, subdivisions 2, 3, 4, 5, 6; 135A.032; 135A.033; 135A.045; 135A.053; 136A.07; 136A.08, subdivision 8; Laws 2001, First Special Session chapter 1, article 1, sections 3, subdivision 3; 4, subdivision 5.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hornstein	Madore	Pelowski	Swails
Anderson, S.	Dominguez	Hortman	Magnus	Peppin	Thao
Anzenc	Doty	Hosch	Mahoney	Peterson, A.	Thissen
Atkins	Eastlund	Howes	Mariani	Peterson, N.	Tillberry
Beard	Eken	Huntley	Marquart	Peterson, S.	Tingelstad
Benson	Erhardt	Jaros	Masin	Poppe	Tschumper
Berns	Erickson	Johnson	McFarlane	Rukavina	Urdahl
Bigham	Faust	Juhnke	McNamara	Ruth	Wagenius
Bly	Fritz	Kahn	Moe	Ruud	Walker
Brod	Gardner	Kalin	Morgan	Sailer	Ward
Brown	Garofalo	Knuth	Morrow	Scalze	Wardlow
Brynaert	Gottwalt	Koenen	Mullery	Seifert	Welti
Bunn	Greiling	Kohls	Murphy, E.	Sertich	Westrom
Carlson	Gunther	Kranz	Murphy, M.	Severson	Winkler
Clark	Hamilton	Laine	Nelson	Shimanski	Wollschlager
Cornish	Hansen	Lanning	Nornes	Simon	Zellers
Davnie	Hausman	Lenczewski	Norton	Simpson	Spk. Kelliher
Dean	Haws	Lesch	Olin	Slawik	
DeLaForest	Heidgerken	Liebling	Otremba	Slocum	
Demmer	Hilstrom	Lieder	Ozment	Smith	
Dettmer	Hilty	Lillie	Paulsen	Solberg	
Dill	Hoppe	Loeffler	Paymar	Sviggum	

Those who voted in the negative were:

Anderson, B.	Emmer	Hackbarth	Olson
Buesgens	Finstad	Holberg	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 464, A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; amending Minnesota Statutes 2006, sections 3.971, subdivision 6; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297I.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62A.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Sertich from the Committee on Rules and Legislative Administration to which was referred:

House Concurrent Resolution No. 4, A House concurrent resolution relating to adjournment until 2008.

Reported the same back with the following amendments:

Page 1, delete lines 4 to 8 and insert:

"(1) Upon its adjournment May 21, 2007, the House of Representatives may set its next day of meeting for February 12, 2008, at 12:00 noon, and the Senate may set its next day of meeting for February 12, 2008, at 12:00 noon.

(2) By the adoption of this resolution, each house consents to adjournment of the other house for more than three days."

With the recommendation that when so amended the house concurrent resolution be adopted.

The report was adopted.

House Concurrent Resolution No. 4 was reported to the House.

HOUSE CONCURRENT RESOLUTION NO. 4

A House concurrent resolution relating to adjournment until 2008.

Be It Resolved by the House of Representatives, the Senate concurring:

(1) Upon its adjournment May 21, 2007, the House of Representatives may set its next day of meeting for February 12, 2008, at 12:00 noon, and the Senate may set its next day of meeting for February 12, 2008, at 12:00 noon.

(2) By the adoption of this resolution, each house consents to adjournment of the other house for more than three days.

Sertich moved that House Concurrent Resolution No. 4 be now adopted.

A roll call was requested and properly seconded.

Emmer moved to amend House Concurrent Resolution No. 4 as follows:

Page 1, lines 5 and 6, delete "February 12" and insert "March 3"

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 41 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Erickson	Holberg	Nornes	Shimanski
Anderson, S.	DeLaForest	Finstad	Hoppe	Ozment	Simpson
Beard	Demmer	Garofalo	Kohls	Paulsen	Sviggum
Berns	Dettmer	Gottwalt	Kranz	Peppin	Wardlow
Brod	Dittrich	Hackbarth	Magnus	Ruth	Westrom
Buesgens	Eastlund	Hamilton	McFarlane	Seifert	Zellers
Cornish	Emmer	Heidgerken	McNamara	Severson	

Those who voted in the negative were:

Abeler	Erhardt	Jaros	Mahoney	Peterson, A.	Thissen
Anzelc	Faust	Johnson	Marquart	Peterson, N.	Tillberry
Atkins	Fritz	Juhnke	Masin	Peterson, S.	Tingelstad
Benson	Gardner	Kahn	Moe	Poppe	Tschumper
Bigham	Greiling	Kalin	Morgan	Rukavina	Urdahl
Bly	Gunther	Knuth	Morrow	Ruud	Wagenius
Brown	Hansen	Koenen	Mullery	Sailer	Walker
Brynaert	Hausman	Laine	Murphy, E.	Scalze	Ward
Bunn	Haws	Lanning	Murphy, M.	Sertich	Welti
Carlson	Hilstrom	Lenczewski	Nelson	Simon	Winkler
Clark	Hilty	Lesch	Norton	Slawik	Wollschlager
Davnie	Hornstein	Liebling	Olin	Slocum	Spk. Kelliher
Dill	Hortman	Lieder	Olson	Smith	
Dominguez	Hosch	Lillie	Otremba	Solberg	
Doty	Howes	Loeffler	Paymar	Swails	
Eken	Huntley	Madore	Pelowski	Thao	

The motion did not prevail and the amendment was not adopted.

The question recurred on the Sertich motion and the roll was called. There were 117 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abeler	Dittrich	Hornstein	Lillie	Ozment	Sviggum
Anderson, S.	Dominguez	Hortman	Loeffler	Paulsen	Swails
Anzelc	Doty	Hosch	Madore	Paymar	Thao
Atkins	Eastlund	Howes	Magnus	Pelowski	Thissen
Beard	Eken	Huntley	Mahoney	Peterson, A.	Tillberry
Benson	Erhardt	Jaros	Mariani	Peterson, N.	Tingelstad
Berns	Faust	Johnson	Marquart	Peterson, S.	Tschumper
Bigham	Fritz	Juhnke	Masin	Poppe	Urdahl
Bly	Gardner	Kahn	McFarlane	Rukavina	Wagenius
Brod	Gottwalt	Kalin	McNamara	Ruth	Walker
Brown	Greiling	Knuth	Moe	Ruud	Ward
Brynaert	Gunther	Koenen	Morgan	Sailer	Wardlow
Bunn	Hamilton	Kohls	Morrow	Scalze	Welti
Carlson	Hansen	Kranz	Mullery	Sertich	Westrom
Clark	Hausman	Laine	Murphy, E.	Simon	Winkler
Cornish	Haws	Lanning	Murphy, M.	Simpson	Wollschlager
Davnie	Hilstrom	Lenczewski	Nelson	Slawik	Spk. Kelliher
DeLaForest	Hilty	Lesch	Norton	Slocum	
Demmer	Holberg	Liebling	Olin	Smith	
Dill	Hoppe	Lieder	Otremba	Solberg	

Those who voted in the negative were:

Anderson, B.	Dettmer	Finstad	Heidgerken	Peppin	Shimanski
Buesgens	Emmer	Garofalo	Nornes	Seifert	Zellers
Dean	Erickson	Hackbarth	Olson	Severson	

The motion prevailed and House Concurrent Resolution No. 4 was adopted.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Thissen.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 562, A bill for an act relating to towns; appropriating money for town road signs.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lieder moved that the House concur in the Senate amendments to H. F. No. 562 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 562, A bill for an act relating to transportation appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers, contingent appropriations, and tort claims; providing for various fees and accounts; modifying or adding provisions relating to allocation of the motor vehicle sales tax; increasing fees for Department of Public Safety services; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 16A.88; 168.017, subdivision 3; 168.12, subdivision 5; 168A.29, subdivision 1; 171.02, subdivision 3; 171.06, subdivision 2; 171.07, subdivisions 3a, 11; 171.20, subdivision 4; 174.03, subdivision 9; 174.24, subdivisions 1, 3b, 5; 297B.09, subdivision 1; 299D.09; 473.388, subdivision 4; Laws 2005, First Special Session chapter 6, article 1, section 4, subdivision 4; repealing Minnesota Statutes 2006, section 174.32.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 95 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Huntley	Madore	Otremba	Solberg
Anzelc	Erhardt	Jaros	Mahoney	Ozment	Swails
Atkins	Faust	Johnson	Mariani	Paymar	Thao
Benson	Fritz	Juhnke	Marquart	Pelowski	Thissen
Bigham	Gardner	Kahn	Masin	Peterson, A.	Tillberry
Bly	Greiling	Kalin	McFarlane	Peterson, N.	Tingelstad
Brown	Hansen	Knuth	McNamara	Peterson, S.	Tschumper
Brynaert	Hausman	Koenen	Moe	Poppe	Urdahl
Bunn	Haws	Kranz	Morgan	Rukavina	Wagenius
Carlson	Heidgerken	Laine	Morrow	Ruud	Walker
Clark	Hilstrom	Lenczewski	Mullery	Sailer	Ward
Davnie	Hilty	Lesch	Murphy, E.	Scalze	Welti
Dill	Hornstein	Liebling	Murphy, M.	Sertich	Winkler
Dittrich	Hortman	Lieder	Nelson	Simon	Wollschlager
Dominguez	Hosch	Lillie	Norton	Slawik	Spk. Kelliher
Doty	Howes	Loeffler	Olin	Slocum	

Those who voted in the negative were:

Anderson, B.	Dean	Finstad	Hoppe	Peppin	Sviggum
Anderson, S.	DeLaForest	Garofalo	Kohls	Ruth	Wardlow
Beard	Demmer	Gottwalt	Lanning	Seifert	Westrom
Berns	Dettmer	Gunther	Magnus	Severson	Zellers
Brod	Eastlund	Hackbarth	Nornes	Shimanski	
Buesgens	Emmer	Hamilton	Olson	Simpson	
Cornish	Erickson	Holberg	Paulsen	Smith	

The bill was repassed, as amended by the Senate, and its title agreed to.

REPORTS FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Sertich, for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that it retains the use of the Speaker's parking place in front of the capitol building just east of the porte-cochère and parking lots B, BB, C, D, N, O, and the state office building parking ramp for members and employees of the House of Representatives during the time between adjournment of the Regular Session in 2007 and the convening of the House of Representatives in 2008. The Sergeant at Arms is directed to manage the use of the lots and ramp while the House of Representatives is adjourned. The Controller of the House may continue to deduct from the check of any legislator or legislative employee a sum adequate to cover the exercise of the parking privilege.

The motion prevailed and the resolution was adopted.

Sertich, for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that during the time between adjournment in 2007 and the convening of the House of Representatives in 2008, the Chief Clerk and Chief Sergeant at Arms under the direction of the Speaker shall maintain House facilities in the Capitol Complex. The House chamber, retiring room, hearing and conference rooms, and offices shall be set up and made ready for legislative use and reserved for the House and its committees. Those rooms may be reserved for use by others that are not in conflict with use by the House. The House Chamber, retiring room, and hearing rooms may be used by YMCA Youth in Government, Girls' State, Young Leaders Organization, and 4-H Leadership Conference.

The motion prevailed and the resolution was adopted.

Sertich, for the Committee on Rules and Legislative Administration, offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that the Chief Clerk is directed to correct and approve the Journal of the House for the last day of the 2007 Regular Session.

Be It Further Resolved that the Chief Clerk is authorized to include in the Journal for the last day of the 2007 Regular Session any proceedings, including subsequent proceedings and any legislative interim committees or commissions created or appointments made to them by legislative action or by law.

The motion prevailed and the resolution was adopted.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bill to be placed on the Supplemental Calendar for the Day for Monday, May 21, 2007:

S. F. No. 108.

CALENDAR FOR THE DAY

S. F. No. 1966 was reported to the House.

Anzels moved to amend S. F. No. 1966, the first engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1691, the first engrossment:

"Section 1. Minnesota Statutes 2006, section 349.12, is amended by adding a subdivision to read:

Subd. 16a. **Fraternal organization.** "Fraternal organization" means a nonprofit organization which is a branch, lodge, or chapter of a national or state organization registered by the Internal Revenue Services as a 501(c)8 or a 501(c)10 nonprofit organization and exists for the common business, fraternal, or other interests of its members. The term does not include college and high school fraternities and sororities.

Sec. 2. Minnesota Statutes 2006, section 349.12, subdivision 25, is amended to read:

Subd. 25. **Lawful purpose.** (a) "Lawful purpose" means one or more of the following:

(1) any expenditure by or contribution to a 501(c)(3) or festival organization, as defined in subdivision 15a, provided that the organization and expenditure or contribution are in conformity with standards prescribed by the board under section 349.154, which standards must apply to both types of organizations in the same manner and to the same extent;

(2) a contribution to or expenditure for goods and services for an individual or family suffering from poverty, homelessness, or disability, which is used to relieve the effects of that suffering;

(3) a contribution to a program recognized by the Minnesota Department of Human Services for the education, prevention, or treatment of problem gambling;

(4) a contribution to or expenditure on a public or private nonprofit educational institution registered with or accredited by this state or any other state;

(5) a contribution to an individual, public or private nonprofit educational institution registered with or accredited by this state or any other state, or to a scholarship fund of a nonprofit organization whose primary mission is to award scholarships, for defraying the cost of education to individuals where the funds are awarded through an open and fair selection process;

(6) activities by an organization or a government entity which recognize military service to the United States, the state of Minnesota, or a community, subject to rules of the board, provided that the rules must not include mileage reimbursements in the computation of the per diem reimbursement limit and must impose no aggregate annual limit on the amount of reasonable and necessary expenditures made to support:

(i) members of a military marching or color guard unit for activities conducted within the state;

(ii) members of an organization solely for services performed by the members at funeral services;

(iii) members of military marching, color guard, or honor guard units may be reimbursed for participating in color guard, honor guard, or marching unit events within the state or states contiguous to Minnesota at a per participant rate of up to \$35 per diem; or

(iv) active military personnel and their immediate family members in need of support services;

(7) recreational, community, and athletic facilities and activities intended primarily for persons under age 21, provided that such facilities and activities do not discriminate on the basis of gender and the organization complies with section 349.154;

(8) payment of local taxes authorized under this chapter, taxes imposed by the United States on receipts from lawful gambling, the taxes imposed by section 297E.02, subdivisions 1, 4, 5, and 6, and the tax imposed on unrelated business income by section 290.05, subdivision 3;

(9) payment of real estate taxes and assessments on permitted gambling premises owned by the licensed organization paying the taxes, or wholly leased by a licensed veterans organization under a national charter recognized under section 501(c)(19) of the Internal Revenue Code;

(10) a contribution to the United States, this state or any of its political subdivisions, or any agency or instrumentality thereof other than a direct contribution to a law enforcement or prosecutorial agency;

(11) a contribution to or expenditure by a nonprofit organization which is a church or body of communicants gathered in common membership for mutual support and edification in piety, worship, or religious observances;

(12) payment of the reasonable costs of an audit required in section 297E.06, subdivision 4, provided the annual audit is filed in a timely manner with the Department of Revenue and paid prior to June 30, 2006;

(13) a contribution to or expenditure on projects or activities approved by the commissioner of natural resources for:

(i) wildlife management projects that benefit the public at large;

(ii) grant-in-aid trail maintenance and grooming established under sections 84.83 and 84.927, and other trails open to public use, including purchase or lease of equipment for this purpose; and

(iii) supplies and materials for safety training and educational programs coordinated by the Department of Natural Resources, including the Enforcement Division;

(14) conducting nutritional programs, food shelves, and congregate dining programs primarily for persons who are age 62 or older or disabled;

(15) a contribution to a community arts organization, or an expenditure to sponsor arts programs in the community, including but not limited to visual, literary, performing, or musical arts;

(16) an expenditure by a licensed fraternal organization or a licensed veterans organization for payment of water, fuel for heating, electricity, and sewer costs for a building wholly owned or wholly leased by and used as the primary headquarters of the licensed veterans organization or fraternal organization;

(17) expenditure by a licensed veterans organization of up to \$5,000 in a calendar year in net costs to the organization for meals and other membership events, limited to members and spouses, held in recognition of military service. No more than \$5,000 can be expended in total per calendar year under this clause by all licensed veterans organizations sharing the same veterans post home;

(18) payment of fees authorized under this chapter imposed by the state of Minnesota to conduct lawful gambling in Minnesota; or

(19) a contribution or expenditure to honor an individual's humanitarian service as demonstrated through philanthropy or volunteerism to the United States, this state, or local community.

(b) Notwithstanding paragraph (a), "lawful purpose" does not include:

(1) any expenditure made or incurred for the purpose of influencing the nomination or election of a candidate for public office or for the purpose of promoting or defeating a ballot question;

(2) any activity intended to influence an election or a governmental decision-making process;

(3) the erection, acquisition, improvement, expansion, repair, or maintenance of real property or capital assets owned or leased by an organization, unless the board has first specifically authorized the expenditures after finding that (i) the real property or capital assets will be used exclusively for one or more of the purposes in paragraph (a); (ii) with respect to expenditures for repair or maintenance only, that the property is or will be used extensively as a meeting place or event location by other nonprofit organizations or community or service groups and that no rental fee is charged for the use; (iii) with respect to expenditures, including a mortgage payment or other debt service payment, for erection or acquisition only, that the erection or acquisition is necessary to replace with a comparable building, a building owned by the organization and destroyed or made uninhabitable by fire or catastrophe, provided that the expenditure may be only for that part of the replacement cost not reimbursed by insurance; (iv) with respect to expenditures, including a mortgage payment or other debt service payment, for erection or acquisition only, that the erection or acquisition is necessary to replace with a comparable building a building owned by the organization that was acquired from the organization by eminent domain or sold by the organization to a purchaser that the organization reasonably believed would otherwise have acquired the building by eminent domain, provided that the expenditure may be only for that part of the replacement cost that exceeds the compensation received by the organization for the building being replaced; or (v) with respect to an expenditure to bring an existing building into compliance with the Americans with Disabilities Act under item (ii), an organization has the option to apply the amount of the board-approved expenditure to the erection or acquisition of a replacement building that is in compliance with the Americans with Disabilities Act;

(4) an expenditure by an organization which is a contribution to a parent organization, foundation, or affiliate of the contributing organization, if the parent organization, foundation, or affiliate has provided to the contributing organization within one year of the contribution any money, grants, property, or other thing of value;

(5) a contribution by a licensed organization to another licensed organization unless the board has specifically authorized the contribution. The board must authorize such a contribution when requested to do so by the contributing organization unless it makes an affirmative finding that the contribution will not be used by the recipient organization for one or more of the purposes in paragraph (a); or

(6) a contribution to a statutory or home rule charter city, county, or town by a licensed organization with the knowledge that the governmental unit intends to use the contribution for a pension or retirement fund.

Sec. 3. Minnesota Statutes 2006, section 349.12, subdivision 25d, is amended to read:

Subd. 25d. **Linked bingo prize pool.** "Linked bingo prize pool" means the total of all prize money that each participating organization has contributed to ~~the a linked bingo game prize and includes any portion of the prize pool that is carried over from one occasion to another in a progressive linked bingo game.~~ No participating organization may contribute more than \$300 per bingo occasion to a linked bingo prize pool.

Sec. 4. Minnesota Statutes 2006, section 349.15, subdivision 1, is amended to read:

Subdivision 1. **Expenditure restrictions.** Gross profits from lawful gambling may be expended only for lawful purposes or allowable expenses as authorized by the membership of the conducting organization at a monthly meeting of the organization's membership. Provided that no more than 70 percent of the gross profit ~~less the tax imposed under section 297E.02, subdivision 1,~~ from bingo, and no more than 60 percent of the gross profit from other forms of lawful gambling, may be expended biennially during the term of the license for allowable expenses related to lawful gambling. For licenses issued after June 30, 2006, compliance with this subdivision will be measured on a biennial basis that is concurrent with the term of the license. Compliance with this subdivision is a condition for the renewal of any license beginning on July 1, 2008. For licenses renewed with an effective date between July 1, 2006, and June 30, 2008, an organization shall carry forward an amount equal to 15 percent of any positive allowable expense carryover amount. This balance must be used to offset any future negative expense balance at the time of license renewal.

Sec. 5. Minnesota Statutes 2006, section 349.163, is amended by adding a subdivision to read:

Subd. 6b. **Commercial products.** The board shall not deny approval of a pull-tab or tipboard game solely because the game is similar to or bears the name or image of a licensed commercial product.

Sec. 6. Minnesota Statutes 2006, section 349.17, subdivision 8, is amended to read:

Subd. 8. **Linked bingo games.** (a) A licensed organization may conduct or participate in ~~a not more than two linked bingo game in association with one or more other licensed organizations~~ games per occasion, one of which may be a progressive game in which a portion of the prize is carried over from one occasion to another until won by a player achieving a bingo within a predetermined amount of bingo numbers called.

(b) Each participating licensed organization shall contribute to each prize awarded in a linked bingo game in an amount not to exceed \$300 ~~per occasion.~~

(c) The board may adopt rules to:

(1) specify the manner in which a linked bingo game must be played and how the linked bingo prizes must be awarded;

(2) specify the records to be maintained by a linked bingo game provider;

(3) require the submission of periodic reports by the linked bingo game provider and specify the content of the reports;

(4) establish the qualifications required to be licensed as a linked bingo game provider; and

(5) any other matter involving the operation of a linked bingo game.

Sec. 7. Minnesota Statutes 2006, section 349.211, is amended to read:

349.211 PRIZE LIMITS.

Subdivision 1. **Bingo.** Except as provided in subdivisions 1a and 2, prizes for a single bingo game may not exceed \$200 except prizes for a cover-all game, which may exceed \$200 if the aggregate value of all cover-all prizes in a bingo occasion does not exceed \$1,000. Total prizes awarded at a bingo occasion may not exceed \$2,800, unless a cover-all game is played in which case the limit is \$3,800. A prize may be determined based on the value of the bingo packet sold to the player. For purposes of this subdivision, a cover-all game is one in which a player must cover all spaces except a single free space to win and includes a game in which all odd or all even numbers are designated by the organization as covered prior to the start of the game.

Subd. 1a. **Linked bingo prizes.** Prizes for a linked bingo game shall be limited as follows:

(1) no organization may contribute more than \$300 per ~~occasion to a linked bingo game to a linked bingo prize pool; and~~

(2) ~~if an organization contributes to a linked bingo game prize pool, the organization's aggregate value of cover-all prizes available during the bingo occasion must be reduced by the amount contributed to the linked bingo game prize pool; no organization may award more than \$200 for a linked bingo game consolation prize. For purposes of this subdivision, a linked bingo game consolation prize is a prize awarded by an organization after a prize from the linked bingo prize pool has been won; and~~

(3) for a progressive linked bingo game, if no player declares a valid bingo within the predetermined amount of bingo numbers called, a portion of the prize is carried over to another occasion until the accumulated prize is won. The portion of the prize that is not carried over must be awarded to the first player or players who declares a valid bingo as additional numbers are called. If a valid bingo is declared within the predetermined amount of bingo numbers called, the entire prize pool for that game is awarded to the winner. The annual limit for progressive bingo game prizes contained in subdivision 2 must be reduced by the amount an organization contributes to progressive linked bingo games during the same calendar year.

Subd. 2. **Progressive bingo games.** Except as provided in subdivision 1a, a prize of up to \$2,000 may be awarded for a progressive bingo game, including a cover-all game. The prize for a progressive bingo game may start at \$500 and be increased by up to \$100 for each occasion during which the progressive bingo game is played. A consolation prize of up to \$200 for a progressive bingo game may be awarded in each occasion during which the progressive bingo game is played and the accumulated prize is not won. The total amount awarded in progressive bingo game prizes in any calendar year may not exceed \$48,000.

Subd. 2a. **Pull-tab prizes.** The maximum prize which may be awarded for any single pull-tab is \$599, not including any cumulative or carryover prizes. Cumulative or carryover prizes in a pull-tab game shall not exceed \$2,500. An organization may not sell any pull-tab for more than ~~\$2~~ \$5.

Subd. 2b. **Paddlewheel prizes.** The maximum cash prize which may be awarded for a paddleticket is \$70. An organization may not sell any paddleticket for more than \$2.

Subd. 2c. **Tipboard prizes.** The maximum prize which may be awarded for a tipboard ticket is \$599, not including any cumulative or carryover prizes. Cumulative or carryover prizes in tipboard games shall not exceed \$2,500. An organization may not sell any tipboard for more than \$5.

Subd. 3. **Other gambling.** The board by rule shall establish a schedule of prize limits for all other forms of gambling consistent with the purposes set out in section 349.11. The schedule may include daily and annual prize limits and prize limits for each game, raffle or operation of a gambling device.

Subd. 4. **Prize value.** (a) Merchandise prizes must be valued at their fair market value. For purposes of sections 349.11 to 349.22 "prizes" do not include free plays awarded.

(b) Merchandise prizes for a paddlewheel consisting of 30 numbers or less or a tipboard consisting of 30 tickets or less may be paid for by the organization up to 30 days after the prize is received by the organization.

Sec. 8. **REPEALER.**

Minnesota Statutes 2006, section 349.19, subdivision 2b, is repealed.

Sec. 9. **EFFECTIVE DATE.**

Section 4 is effective July 1, 2007. Sections 5 to 8 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to gambling; providing and modifying definitions; modifying expenditure restrictions; clarifying certain game requirements, prize amounts, and making other changes to lawful gambling; amending Minnesota Statutes 2006, sections 349.12, subdivisions 25, 25d, by adding a subdivision; 349.15, subdivision 1; 349.163, by adding a subdivision; 349.17, subdivision 8; 349.211; repealing Minnesota Statutes 2006, section 349.19, subdivision 2b."

The motion prevailed and the amendment was adopted.

S. F. No. 1966, A bill for an act relating to gambling; modifying expenditure restrictions; clarifying certain game requirements, prize amounts, and making other changes to lawful gambling; amending Minnesota Statutes 2006, sections 349.15, subdivision 1; 349.163, by adding a subdivision; 349.211; repealing Minnesota Statutes 2006, section 349.19, subdivision 2b.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Brod	DeLaForest	Erhardt	Hackbarth	Hornstein
Anderson, B.	Brown	Demmer	Erickson	Hamilton	Hortman
Anderson, S.	Brynaert	Dettmer	Faust	Hansen	Hosch
Anzenc	Buesgens	Dill	Finstad	Hausman	Howes
Atkins	Bunn	Dittrich	Fritz	Haws	Huntley
Beard	Carlson	Dominguez	Gardner	Heidgerken	Jaros
Benson	Clark	Doty	Garofalo	Hilstrom	Johnson
Berns	Cornish	Eastlund	Gottwalt	Hilty	Juhnke
Bigham	Davnie	Eken	Greiling	Holberg	Kahn
Bly	Dean	Emmer	Gunther	Hoppe	Kalin

Knuth	Magnus	Nelson	Peterson, S.	Slawik	Walker
Koenen	Mahoney	Nornes	Poppe	Slocum	Ward
Kohls	Mariani	Norton	Rukavina	Smith	Wardlow
Kranz	Marquart	Olin	Ruth	Solberg	Welti
Laine	Masin	Olson	Ruud	Sviggum	Westrom
Lanning	McFarlane	Otremba	Sailer	Swails	Winkler
Lenczewski	McNamara	Ozment	Scalze	Thao	Wollschlager
Lesch	Moe	Paulsen	Seifert	Thissen	Zellers
Liebling	Morgan	Paymar	Sertich	Tillberry	Spk. Kelliher
Lieder	Morrow	Pelowski	Severson	Tingelstad	
Lillie	Mullery	Peppin	Shimanski	Tschumper	
Loeffler	Murphy, E.	Peterson, A.	Simon	Urdahl	
Madore	Murphy, M.	Peterson, N.	Simpson	Wagenius	

The bill was passed, as amended, and its title agreed to.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2245, A bill for an act relating to education; increasing the basic revenue formula allowance; modifying general education aid; amending Minnesota Statutes 2006, sections 126C.10, subdivision 2; 126C.13, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Greiling moved that the House concur in the Senate amendments to H. F. No. 2245 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

Buesgens moved that the House refuse to concur in the Senate amendments to H. F. No. 2245, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the Buesgens motion and the roll was called. There were 46 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	DeLaForest	Gottwalt	Liebling	Paulsen	Tingelstad
Anderson, S.	Demmer	Gunther	Magnus	Peppin	Tschumper
Beard	Dettmer	Hackbarth	McFarlane	Ruth	Wardlow
Berns	Eastlund	Hamilton	McNamara	Seifert	Welti
Brod	Emmer	Holberg	Nornes	Severson	Westrom
Buesgens	Erickson	Hoppe	Norton	Shimanski	Zellers
Cornish	Finstad	Kohls	Olson	Simpson	
Dean	Garofalo	Kranz	Ozment	Sviggum	

Those who voted in the negative were:

Anzelc	Eken	Howes	Loeffler	Paymar	Solberg
Atkins	Erhardt	Huntley	Madore	Pelowski	Swails
Benson	Faust	Jaros	Mahoney	Peterson, A.	Thao
Bigham	Fritz	Johnson	Mariani	Peterson, N.	Thissen
Bly	Gardner	Juhnke	Marquart	Peterson, S.	Tillberry
Brown	Greiling	Kahn	Masin	Poppe	Urdahl
Brynaert	Hansen	Kalin	Moe	Rukavina	Wagenius
Bunn	Hausman	Knuth	Morgan	Ruud	Walker
Carlson	Haws	Koenen	Morrow	Sailer	Ward
Clark	Heidgerken	Laine	Mullery	Scalze	Winkler
Davnie	Hilstrom	Lanning	Murphy, E.	Sertich	Wollschlager
Dill	Hilty	Lenczewski	Murphy, M.	Simon	Spk. Kelliher
Dittrich	Hornstein	Lesch	Nelson	Slawik	
Dominguez	Hortman	Lieder	Olin	Slocum	
Doty	Hosch	Lillie	Otremba	Smith	

The motion did not prevail.

The question recurred on the Greiling motion that the House concur in the Senate amendments to H. F. No. 2245 and that the bill be repassed, as amended by the Senate, and the roll was called. There were 86 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, S.	Brynaert	Doty	Hausman	Hosch	Kalin
Anzelc	Bunn	Eken	Haws	Howes	Knuth
Atkins	Carlson	Faust	Heidgerken	Huntley	Koenen
Benson	Clark	Fritz	Hilstrom	Jaros	Kranz
Bigham	Davnie	Gardner	Hilty	Johnson	Laine
Bly	Dill	Greiling	Hornstein	Juhnke	Lanning
Brown	Dominguez	Hansen	Hortman	Kahn	Lenczewski

Lesch	Masin	Nelson	Rukavina	Smith	Ward
Lieder	McFarlane	Olin	Ruud	Solberg	Winkler
Lillie	Moe	Otremba	Sailer	Swails	Wollschlager
Loeffler	Morgan	Paymar	Scalze	Thao	Spk. Kelliher
Madore	Morrow	Pelowski	Sertich	Thissen	
Mahoney	Mullery	Peterson, A.	Simon	Tillberry	
Mariani	Murphy, E.	Peterson, S.	Slawik	Wagenius	
Marquart	Murphy, M.	Poppe	Slocum	Walker	

Those who voted in the negative were:

Abeler	DeLaForest	Finstad	Kohls	Paulsen	Sviggum
Anderson, B.	Demmer	Garofalo	Liebling	Peppin	Tingelstad
Beard	Dettmer	Gottwalt	Magnus	Peterson, N.	Tschumper
Berns	Dittrich	Gunther	McNamara	Ruth	Urdahl
Brod	Eastlund	Hackbarth	Nornes	Seifert	Wardlow
Buesgens	Emmer	Hamilton	Norton	Severson	Welti
Cornish	Erhardt	Holberg	Olson	Shimanski	Westrom
Dean	Erickson	Hoppe	Ozment	Simpson	Zellers

The motion prevailed.

Hansen, Loeffler, Ozment and Wollschlager were excused while in conference.

CALL OF THE HOUSE

On the motion of Emmer and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dettmer	Haws	Lanning	Norton	Slocum
Anderson, B.	Dill	Heidgerken	Lenczewski	Olin	Smith
Anderson, S.	Dittrich	Hilstrom	Lesch	Olson	Sviggum
Anzenc	Dominguez	Hilty	Liebling	Otremba	Swails
Atkins	Doty	Holberg	Lieder	Paulsen	Thao
Beard	Eastlund	Hoppe	Lillie	Pelowski	Thissen
Berns	Eken	Hornstein	Madore	Peppin	Tillberry
Bigham	Emmer	Hortman	Magnus	Peterson, N.	Tingelstad
Bly	Erhardt	Hosch	Mahoney	Peterson, S.	Tschumper
Brod	Erickson	Howes	Mariani	Poppe	Urdahl
Brown	Faust	Huntley	Marquart	Rukavina	Ward
Brynaert	Finstad	Jaros	Masin	Ruth	Wardlow
Buesgens	Fritz	Johnson	McFarlane	Ruud	Welti
Bunn	Gardner	Juhnke	McNamara	Sailer	Westrom
Carlson	Garofalo	Kahn	Morgan	Scalze	Winkler
Clark	Gottwalt	Kalin	Morrow	Seifert	Zellers
Cornish	Greiling	Knuth	Mullery	Severson	Spk. Kelliher
Davnie	Gunther	Koenen	Murphy, E.	Shimanski	
Dean	Hackbarth	Kohls	Murphy, M.	Simon	
DeLaForest	Hamilton	Kranz	Nelson	Simpson	
Demmer	Hausman	Laine	Nornes	Slawik	

Thissen moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 2245, A bill for an act relating to education; providing for policy and funding for early childhood, family, adult, and prekindergarten through grade 12 education including general education, education excellence, special programs, facilities and technology, nutrition and accounting, libraries, state agencies, pupil transportation standards, early childhood and adult programs; education forecast adjustments, and technical and conforming amendments; providing for task force and advisory groups; requiring reports; authorizing rulemaking; funding parenting centers; funding lead hazard reduction; appropriating money; amending Minnesota Statutes 2006, sections 16A.152, subdivision 2; 119A.50, by adding a subdivision; 119A.52; 119A.535; 120A.22, subdivision 7; 120B.021, subdivision 1; 120B.022, subdivision 1; 120B.024; 120B.12, subdivision 2; 120B.132; 120B.15; 120B.30; 120B.31, subdivision 3; 120B.36, subdivision 1; 121A.17, subdivision 5; 122A.20, subdivision 1; 122A.61, by adding a subdivision; 122A.628, subdivision 2; 122A.72, subdivision 5; 123A.44; 123A.441; 123A.442; 123A.443; 123A.73, subdivision 8; 123B.02, by adding a subdivision; 123B.10, subdivision 1; 123B.143, subdivision 1; 123B.53, subdivision 1; 123B.54; 123B.57, subdivision 3; 123B.63, subdivision 3; 123B.77, subdivision 4; 123B.79, subdivisions 6, 8, by adding a subdivision; 123B.81, subdivisions 2, 4, 7; 123B.83, subdivision 2; 123B.88, subdivision 12; 123B.90, subdivision 2; 123B.92, subdivisions 1, 3; 124D.095, subdivisions 2, 3, 4, 7; 124D.10, subdivisions 4, 23a, 24; 124D.111, subdivision 1; 124D.128, subdivisions 1, 2, 3; 124D.13, subdivisions 1, 2, 11, by adding a subdivision; 124D.135, subdivisions 1, 3, 5, 6; 124D.15, subdivision 3; 124D.34, subdivision 7; 124D.454, subdivisions 2, 3; 124D.531, subdivisions 1, 4; 124D.65, subdivision 11; 124D.66, subdivision 3; 124D.84, subdivision 1; 125A.11, subdivision 1; 125A.13; 125A.14; 125A.39; 125A.42; 125A.44; 125A.45; 125A.50; 125A.56; 125A.63, by adding a subdivision; 125A.75, subdivisions 1, 4, by adding a subdivision; 125A.76, subdivisions 1, 2, 4, 5, by adding a subdivision; 125A.78; 125A.79, subdivisions 1, 5, 6, 8; 125B.15; 126C.01, subdivision 9; 126C.05, subdivision 1; 126C.10, subdivisions 2, 2b, 24, 34; 126C.126; 126C.13, subdivision 4; 126C.15, subdivision 2; 126C.21, subdivisions 3, 5; 126C.41, by adding a subdivision; 126C.44; 126C.48, subdivisions 2, 7; 127A.095, subdivision 2; 127A.441; 127A.47, subdivision 7; 127A.49, subdivisions 2, 3; 128D.11, subdivision 3; 134.31, by adding a subdivision; 134.34, subdivision 4; 134.355, subdivision 9; 169.01, by adding a subdivision; 169.443, by adding a subdivision; 169.447, subdivision 2; 169.4501, subdivisions 1, 2; 169.4502, subdivision 5; 169.4503, subdivisions 13, 20; 171.02, subdivisions 2, 2a; 171.321, subdivision 4; 205A.05, subdivision 1; 272.02, subdivision 64; 272.029, by adding a subdivision; 275.065, subdivisions 1, 1a; 517.08, subdivision 1c; Laws 2005, First Special Session chapter 5, article 1, sections 50, subdivision 2; 54, subdivisions 2, as amended, 4, 5, as amended, 6, as amended, 7, as amended, 8, as amended; article 2, sections 81, as amended; 84, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, as amended, 10, as amended; article 3, section 18, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, as amended; article 4, section 25, subdivisions 2, as amended, 3, as amended; article 5, section 17, subdivision 3, as amended; article 7, section 20, subdivisions 2, as amended, 3, as amended, 4, as amended; article 8, section 8, subdivisions 2, as amended, 5, as amended; article 9, section 4, subdivision 2; Laws 2006, chapter 263, article 3, section 15; Laws 2006, chapter 282, article 2, section 28, subdivision 4; article 3, section 4, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 119A; 124D; 127A; repealing Minnesota Statutes 2006, sections 120B.233; 123A.22, subdivision 11; 123B.749; 123B.81, subdivision 8; 124D.06; 124D.081, subdivisions 1, 2, 3, 4, 5, 6, 9; 124D.175; 124D.454, subdivisions 4, 5, 6, 7; 124D.531, subdivision 5; 124D.62; 125A.10; 125A.75, subdivision 6; 125A.76, subdivision 3; 169.4502, subdivision 15; 169.4503, subdivisions 17, 18, 26.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Thissen moved that those not voting be excused from voting. The motion prevailed.

There were 94 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Anderson, S.	Erhardt	Huntley	Madore	Otremba	Solberg
Anzelc	Faust	Jaros	Mahoney	Paymar	Swails
Atkins	Fritz	Johnson	Mariani	Pelowski	Thao
Benson	Gardner	Juhnke	Marquart	Peterson, A.	Thissen
Bigham	Gottwalt	Kahn	Masin	Peterson, N.	Tillberry
Bly	Greiling	Kalin	McFarlane	Peterson, S.	Tschumper
Brown	Gunther	Knuth	Moe	Poppe	Urdahl
Brynaert	Hausman	Koenen	Morgan	Rukavina	Wagenius
Bunn	Haws	Kranz	Morrow	Ruud	Walker
Carlson	Heidgerken	Laine	Mullery	Sailer	Ward
Clark	Hilstrom	Lanning	Murphy, E.	Scalze	Welti
Davnie	Hilty	Lenczewski	Murphy, M.	Sertich	Westrom
Dill	Hornstein	Lesch	Nelson	Simon	Winkler
Dominguez	Hortman	Liebling	Nornes	Slawik	Spk. Kelliher
Doty	Hosch	Lieder	Norton	Slocum	
Eken	Howes	Lillie	Olin	Smith	

Those who voted in the negative were:

Abeler	Cornish	Eastlund	Hamilton	Olson	Shimanski
Anderson, B.	Dean	Emmer	Holberg	Paulsen	Simpson
Beard	DeLaForest	Erickson	Hoppe	Peppin	Sviggum
Berns	Demmer	Finstad	Kohls	Ruth	Tingelstad
Brod	Dettmer	Garofalo	Magnus	Seifert	Wardlow
Buesgens	Dittrich	Hackbarth	McNamara	Severson	Zellers

The bill was repassed, as amended by the Senate, and its title agreed to.

CALL OF THE HOUSE LIFTED

Huntley moved that the call of the House be lifted. The motion prevailed and it was so ordered.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1078, A bill for an act relating to health; modifying the hospital public interest review; modifying the alternative approval process; amending Minnesota Statutes 2006, sections 144.50, by adding subdivisions; 144.552; 144.553, subdivision 3; 144.699, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Huntley moved that the House concur in the Senate amendments to H. F. No. 1078 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

Finstad moved that the House refuse to concur in the Senate amendments to H. F. No. 1078, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the Finstad motion and the roll was called. There were 47 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Demmer	Garofalo	Lanning	Peppin	Sviggum
Anderson, S.	Dettmer	Gottwalt	Magnus	Peterson, N.	Swails
Beard	Eastlund	Hamilton	McFarlane	Ruth	Tingelstad
Berns	Eken	Heidgerken	McNamara	Seifert	Urdahl
Brod	Emmer	Holberg	Nornes	Severson	Wardlow
Cornish	Erhardt	Hoppe	Olson	Shimanski	Westrom
Dean	Erickson	Howes	Ozment	Simpson	Zellers
DeLaForest	Finstad	Kohls	Paulsen	Smith	

Those who voted in the negative were:

Abeler	Dominguez	Hosch	Lillie	Olin	Solberg
Anzelc	Doty	Huntley	Loeffler	Otremba	Thao
Atkins	Faust	Jaros	Madore	Paymar	Thissen
Benson	Fritz	Johnson	Mahoney	Pelowski	Tillberry
Bigham	Gardner	Juhnke	Mariani	Peterson, A.	Tschumper
Bly	Greiling	Kahn	Marquart	Peterson, S.	Wagenius
Brown	Gunther	Kalin	Masin	Poppe	Walker
Brynaert	Hackbarth	Knuth	Moe	Rukavina	Ward
Buesgens	Hansen	Koenen	Morgan	Ruud	Welti
Bunn	Hausman	Kranz	Morrow	Sailer	Winkler
Carlson	Haws	Laine	Mullery	Scalze	Wollschlager
Clark	Hilstrom	Lenczewski	Murphy, E.	Sertich	Spk. Kelliher
Davnie	Hilty	Lesch	Murphy, M.	Simon	
Dill	Hornstein	Liebling	Nelson	Slawik	
Dittrich	Hortman	Lieder	Norton	Slocum	

The motion did not prevail.

The question recurred on the Huntley motion that the House concur in the Senate amendments to H. F. No. 1078 and that the bill be repassed, as amended by the Senate, and the roll was called. There were 86 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Doty	Jaros	Mahoney	Paymar	Thao
Anzelc	Faust	Johnson	Mariani	Pelowski	Thissen
Atkins	Fritz	Kahn	Marquart	Peterson, A.	Tillberry
Benson	Gardner	Kalin	Masin	Peterson, S.	Tschumper
Bigham	Greiling	Knuth	McFarlane	Poppe	Wagenius
Bly	Hansen	Koenen	Moe	Rukavina	Walker
Brown	Hausman	Kranz	Morgan	Ruth	Ward
Brynaert	Haws	Laine	Morrow	Ruud	Welti
Bunn	Hilstrom	Lenczewski	Mullery	Sailer	Winkler
Carlson	Hilty	Lesch	Murphy, E.	Scalze	Wollschlager
Clark	Hornstein	Liebling	Murphy, M.	Sertich	Spk. Kelliher
Davnie	Hortman	Lieder	Nelson	Simon	
Dill	Hosch	Lillie	Norton	Slawik	
Dittrich	Howes	Loeffler	Olin	Slocum	
Dominguez	Huntley	Madore	Otremba	Solberg	

Those who voted in the negative were:

Anderson, B.	DeLaForest	Finstad	Hoppe	Ozment	Smith
Anderson, S.	Demmer	Garofalo	Juhnke	Paulsen	Sviggun
Beard	Dettmer	Gottwalt	Kohls	Peppin	Swails
Berns	Eastlund	Gunther	Lanning	Peterson, N.	Tingelstad
Brod	Eken	Hackbarth	Magnus	Seifert	Urdahl
Buesgens	Emmer	Hamilton	McNamara	Severson	Wardlow
Cornish	Erhardt	Heidgerken	Nornes	Shimanski	Westrom
Dean	Erickson	Holberg	Olson	Simpson	Zellers

The motion prevailed.

H. F. No. 1078, as amended by the Senate, was read for the third time.

CALL OF THE HOUSE

On the motion of Brod and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Buesgens	Dominguez	Greiling	Hornstein	Kranz
Anderson, B.	Bunn	Doty	Gunther	Hortman	Laine
Anderson, S.	Carlson	Eastlund	Hackbarth	Hosch	Lanning
Anzelc	Clark	Eken	Hamilton	Howes	Lenczewski
Atkins	Cornish	Emmer	Hansen	Huntley	Lesch
Benson	Davnie	Erickson	Hausman	Jaros	Liebling
Berns	Dean	Faust	Haws	Johnson	Lieder
Bigham	DeLaForest	Finstad	Heidgerken	Kahn	Lillie
Bly	Demmer	Fritz	Hilstrom	Kalin	Loeffler
Brod	Dettmer	Gardner	Hilty	Knuth	Madore
Brown	Dill	Garofalo	Holberg	Koenen	Magnus
Brynaert	Dittrich	Gottwalt	Hoppe	Kohls	Mahoney

Mariani	Murphy, M.	Paymar	Ruud	Slocum	Urdahl
Marquart	Nelson	Pelowski	Sailer	Smith	Ward
Masin	Nornes	Peppin	Scalze	Solberg	Wardlow
McNamara	Norton	Peterson, A.	Seifert	Sviggum	Welti
Moe	Olin	Peterson, N.	Severson	Swails	Westrom
Morgan	Olson	Peterson, S.	Shimanski	Thao	Winkler
Morrow	Otremba	Poppe	Simon	Thissen	Wollschlager
Mullery	Ozment	Rukavina	Simpson	Tillberry	Zellers
Murphy, E.	Paulsen	Ruth	Slawik	Tschumper	Spk. Kelliher

Thissen moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

PREVIOUS QUESTION

Sertich moved the previous question and the motion was properly seconded. The motion prevailed and the previous question was so ordered.

H. F. No. 1078, A bill for an act relating to state government; making changes to health and human services programs; changing children and family provisions; amending child welfare provisions; establishing prekindergarten exploratory projects; modifying licensing provisions; amending health care programs and policy; modifying continuing care programs and policy; amending mental and chemical health provisions; changing Department of Health provisions and policy; establishing a children's health program; changing public health provisions and policy; amending MinnesotaCare, medical assistance, and general assistance medical care; instituting health care reform; modifying health insurance provisions; establishing family supportive services; providing rate increases for certain providers and nursing facilities; changing health records information provisions; making technical changes; providing penalties; establishing task forces; changing certain fees; requiring reports; making forecast adjustments; appropriating money for human services and health; appropriating money for various state boards and councils; amending Minnesota Statutes 2006, sections 13.381, by adding a subdivision; 13.46, subdivision 2; 16A.724, subdivision 2, by adding subdivisions; 16B.61, by adding a subdivision; 16D.13, subdivision 3; 43A.23, subdivision 1; 62E.02, subdivision 7; 62H.02; 62J.07, subdivisions 1, 3; 62J.17, subdivisions 2, 4a, 6a, 7; 62J.41, subdivision 1; 62J.495; 62J.52, subdivisions 1, 2; 62J.60, subdivisions 2, 3; 62J.692, subdivisions 1, 4, 5, 8; 62J.81, subdivision 1; 62J.82; 62L.02, subdivision 11; 62Q.165, subdivisions 1, 2; 62Q.80, subdivisions 3, 4, 13, 14, by adding a subdivision; 69.021, subdivision 11; 103L.101, subdivision 6; 103L.208, subdivisions 1, 2; 103L.235, subdivision 1; 119B.011, by adding a subdivision; 119B.035, subdivision 1; 119B.05, subdivision 1; 119B.09, subdivision 7, by adding subdivisions; 119B.12; 119B.125, subdivision 2; 119B.13, subdivisions 1, 3a, 7; 119B.21, subdivision 5; 144.123; 144.125; 144.3345; 144.5509; 144.552; 144.553, subdivision 3; 144.565; 144.651, subdivisions 9, 10, 26; 144.698, subdivision 1; 144.699, by adding a subdivision; 144.9507, by adding a subdivision; 144.9512; 144A.073, subdivision 4; 144A.351; 144D.03, subdivision 1; 144E.101, subdivision 6; 144E.127; 144E.35, subdivision 1; 145A.17; 145C.05; 145C.07, by adding a subdivision; 148.235, by adding a subdivision; 148.6445, subdivisions 1, 2; 148B.53, subdivision 3; 148C.11, subdivision 1; 149A.52, subdivision 3; 149A.97, subdivision 7; 151.19, subdivision 2; 151.37, subdivision 2; 152.11, by adding a subdivision; 157.16, subdivision 1; 169A.70, subdivision 4; 198.075; 245.462, subdivision 20; 245.465, by adding a subdivision; 245.4712, subdivision 1; 245.4874; 245.50, subdivision 5; 245.771, by adding a subdivision; 245.98, subdivision 2; 245A.035; 245A.10, subdivision 2; 245A.16, subdivisions 1, 3; 245C.02, by adding a subdivision; 245C.04, subdivision 1; 245C.05, subdivisions 1, 4, 5, 7, by adding a subdivision; 245C.08, subdivisions 1, 2; 245C.10, by adding a subdivision; 245C.11, subdivisions 1, 2; 245C.12; 245C.16, subdivision 1; 245C.17, by adding a subdivision; 245C.21, by adding a subdivision; 245C.23, subdivision 2; 246.54, subdivisions 1, 2; 252.27, subdivision 2a; 252.32, subdivision 3; 253B.185,

subdivision 2, by adding a subdivision; 254A.03, subdivision 3; 254A.16, subdivision 2; 254B.02, subdivisions 1, 5; 254B.03, subdivisions 1, 3; 254B.06, subdivision 3; 256.01, subdivisions 2, 2b, 4, by adding subdivisions; 256.015, subdivision 7; 256.017, subdivisions 1, 9; 256.476, subdivisions 1, 2, 3, 4, 5, 10; 256.969, subdivisions 9, 27; 256.974; 256.9741, subdivisions 1, 3; 256.9742, subdivisions 3, 4, 6; 256.9744, subdivision 1; 256.975, subdivision 7, by adding a subdivision; 256.984, subdivision 1; 256B.04, subdivision 14, by adding a subdivision; 256B.055, subdivision 14; 256B.056, subdivision 10, by adding a subdivision; 256B.057, by adding a subdivision; 256B.0621, subdivision 11; 256B.0622, subdivision 2; 256B.0623, subdivision 5; 256B.0625, subdivisions 3f, 13c, 13d, 18a, 20, 23, 47, by adding subdivisions; 256B.0631, subdivisions 1, 3; 256B.0644; 256B.0651, subdivision 7; 256B.0655, subdivisions 1b, 1f, 3, 8, by adding subdivisions; 256B.0911, subdivisions 3a, 3b, 4b, 4c, 6, 7, by adding subdivisions; 256B.0913, subdivisions 4, 5, 5a, 8, 9, 10, 11, 12, 13, 14; 256B.0915; 256B.0919, subdivision 3; 256B.0943, subdivisions 6, 8, 9, 11, 12; 256B.0945, subdivision 4; 256B.095; 256B.0951, subdivision 1; 256B.199; 256B.27, subdivision 2a; 256B.431, subdivisions 1, 2e, 3f, 17a, 17e, 41; 256B.434, subdivision 4, by adding subdivisions; 256B.437, by adding a subdivision; 256B.441, subdivisions 1, 2, 5, 6, 10, 11, 13, 14, 17, 20, 24, 30, 31, 34, 38, by adding subdivisions; 256B.49, subdivision 11, by adding a subdivision; 256B.5012, by adding a subdivision; 256B.69, subdivisions 4, 5g, 5h, 23; 256B.76; 256B.763; 256D.03, subdivisions 3, 4; 256E.35, subdivision 2; 256L.04, subdivision 3; 256L.05, by adding subdivisions; 256J.01, by adding a subdivision; 256J.02, subdivisions 1, 4, by adding a subdivision; 256J.021; 256J.08, subdivision 65; 256J.20, subdivision 3; 256J.21, subdivision 2; 256J.32, subdivision 6; 256J.42, subdivision 1; 256J.46, by adding a subdivision; 256J.49, subdivision 13; 256J.521, subdivisions 1, 2; 256J.53, subdivision 2; 256J.55, subdivision 1; 256J.626, subdivisions 1, 2, 3, 4, 5, 6, 7; 256J.751, subdivisions 2, 5; 256J.77; 256J.95, subdivision 3; 256K.45, by adding a subdivision; 256L.01, subdivisions 1, 4; 256L.03, subdivisions 1, 3, 5; 256L.04, subdivisions 1, 7, 12; 256L.05, subdivisions 1, 1b, 2, 3a; 256L.07, subdivisions 1, 6, by adding a subdivision; 256L.09, subdivision 4; 256L.11, subdivision 7; 256L.12, subdivision 9a; 256L.15, subdivisions 1, 2, 4; 256L.17, subdivisions 2, 3, 7; 259.20, subdivision 2; 259.24, subdivision 3; 259.29, subdivision 1; 259.41; 259.53, subdivisions 1, 2; 259.57, subdivisions 1, 2; 259.67, subdivisions 4, 7; 259.75, subdivision 8; 260.012; 260.755, subdivisions 12, 20; 260.761, subdivision 7; 260.765, subdivision 5; 260.771, subdivisions 1, 2; 260B.157, subdivision 1; 260C.152, subdivision 5; 260C.163, subdivision 1; 260C.201, subdivision 11; 260C.209; 260C.212, subdivisions 1, 2, 4, 9; 260C.317, subdivision 3; 260C.331, subdivision 1; 270B.14, subdivision 1; 518A.56, by adding a subdivision; 609.115, subdivisions 8, 9; 626.556, subdivisions 2, 3, 10, 10a, 10c, 10f, by adding subdivisions; Laws 2000, chapter 340, section 19; Laws 2005, chapter 98, article 3, section 25; Laws 2005, First Special Session chapter 4, article 9, section 3, subdivision 2; Laws 2006, chapter 282, article 20, section 37; proposing coding for new law in Minnesota Statutes, chapters 16C; 62J; 62Q; 144; 145; 148; 149A; 151; 152; 156; 245; 245A; 245C; 252; 254A; 256; 256B; 256C; 256D; 256J; 256L; 260; repealing Minnesota Statutes 2006, sections 62A.301; 62J.052, subdivision 1; 62J.692, subdivision 10; 119B.08, subdivision 4; 144.335; 252.21; 252.22; 252.23; 252.24; 252.25; 252.261; 252.275, subdivision 5; 254A.02, subdivisions 7, 9, 12, 14, 15, 16; 254A.085; 254A.086; 254A.12; 254A.14; 254A.15; 254A.16, subdivision 5; 254A.175; 254A.18; 256.956; 256.9743; 256B.0625, subdivisions 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k; 256B.0631, subdivision 4; 256B.0913, subdivisions 5b, 5c, 5d, 5e, 5f, 5g, 5h; 256B.441, subdivisions 12, 16, 21, 26, 28, 42, 45; 256J.29; 256J.37, subdivision 3b; 256J.561, subdivision 1; 256J.62, subdivision 9; 256J.626, subdivision 9; 256J.65; 256L.035; 256L.07, subdivision 2a; Laws 1997, chapter 8, section 1; Laws 2004, chapter 288, article 6, section 27; Laws 2006, chapter 249, section 6; Minnesota Rules, parts 4610.2800; 9503.0035, subpart 2; 9560.0102, subpart 2, item C; 9585.0030.

The bill, as amended by the Senate, was placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Sertich moved that those not voting be excused from voting. The motion prevailed.

There were 96 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Huntley	Mahoney	Paymar	Smith
Anzelc	Erhardt	Jaros	Mariani	Pelowski	Solberg
Atkins	Faust	Johnson	Marquart	Peterson, A.	Swails
Benson	Fritz	Juhnke	Masin	Peterson, N.	Thao
Bigham	Gardner	Kahn	McFarlane	Peterson, S.	Thissen
Bly	Greiling	Kalin	Moe	Poppe	Tillberry
Brown	Hansen	Knuth	Morgan	Rukavina	Tingelstad
Brynaert	Hausman	Koenen	Morrow	Ruth	Tschumper
Bunn	Haws	Kranz	Mullery	Ruud	Urdahl
Carlson	Heidgerken	Laine	Murphy, E.	Sailer	Wagenius
Clark	Hilstrom	Lenczewski	Murphy, M.	Scalze	Walker
Davnie	Hilty	Lesch	Nelson	Seifert	Ward
Dill	Hornstein	Liebling	Norton	Sertich	Welti
Dittrich	Hortman	Lieder	Olin	Simon	Winkler
Dominguez	Hosch	Lillie	Otremba	Slawik	Wollschlager
Doty	Howes	Loeffler	Ozment	Slocum	Spk. Kelliher

Those who voted in the negative were:

Anderson, B.	Dean	Finstad	Hoppe	Olson	Wardlow
Anderson, S.	DeLaForest	Garofalo	Kohls	Paulsen	Zellers
Beard	Demmer	Gottwalt	Lanning	Peppin	
Berns	Dettmer	Gunther	Madore	Severson	
Brod	Eastlund	Hackbarth	Magnus	Shimanski	
Buesgens	Emmer	Hamilton	McNamara	Simpson	
Cornish	Erickson	Holberg	Nornes	Sviggum	

The bill was repassed, as amended by the Senate, and its title agreed to.

MOTION FOR RECONSIDERATION

Seifert moved that the vote whereby H. F. No. 1078, as amended by the Senate, was repassed be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Seifert motion and the roll was called. There were 127 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeler	Berns	Bunn	Demmer	Eken	Gardner
Anderson, B.	Bigham	Carlson	Dettmer	Emmer	Garofalo
Anderson, S.	Bly	Clark	Dill	Erhardt	Gottwalt
Anzelc	Brod	Cornish	Dittrich	Erickson	Greiling
Atkins	Brown	Davnie	Dominguez	Faust	Gunther
Beard	Brynaert	Dean	Doty	Finstad	Hackbarth
Benson	Buesgens	DeLaForest	Eastlund	Fritz	Hamilton

Hansen	Kalin	Mahoney	Otremba	Seifert	Urdahl
Hausman	Knuth	Marquart	Ozment	Sertich	Wagenius
Haws	Koenen	Masin	Paulsen	Severson	Ward
Heidgerken	Kohls	McFarlane	Paymar	Shimanski	Wardlow
Hilstrom	Kranz	McNamara	Pelowski	Simon	Welti
Holberg	Laine	Moe	Peppin	Simpson	Westrom
Hoppe	Lanning	Morgan	Peterson, A.	Slawik	Winkler
Hornstein	Lenczewski	Morrow	Peterson, N.	Slocum	Wollschlager
Hortman	Lesch	Mullery	Peterson, S.	Smith	Zellers
Hosch	Liebling	Murphy, E.	Poppe	Solberg	Spk. Kelliher
Howes	Lieder	Murphy, M.	Rukavina	Sviggum	
Huntley	Lillie	Nornes	Ruth	Swails	
Johnson	Loeffler	Norton	Ruud	Thissen	
Juhnke	Madore	Olin	Sailer	Tillberry	
Kahn	Magnus	Olson	Scalze	Tingelstad	

Those who voted in the negative were:

Hilty	Mariani	Thao	Walker
Jaros	Nelson	Tschumper	

The motion prevailed.

H. F. No. 1078, as amended by the Senate, was reported to the House.

H. F. No. 1078, A bill for an act relating to state government; making changes to health and human services programs; changing children and family provisions; amending child welfare provisions; establishing prekindergarten exploratory projects; modifying licensing provisions; amending health care programs and policy; modifying continuing care programs and policy; amending mental and chemical health provisions; changing Department of Health provisions and policy; establishing a children's health program; changing public health provisions and policy; amending MinnesotaCare, medical assistance, and general assistance medical care; instituting health care reform; modifying health insurance provisions; establishing family supportive services; providing rate increases for certain providers and nursing facilities; changing health records information provisions; making technical changes; providing penalties; establishing task forces; changing certain fees; requiring reports; making forecast adjustments; appropriating money for human services and health; appropriating money for various state boards and councils; amending Minnesota Statutes 2006, sections 13.381, by adding a subdivision; 13.46, subdivision 2; 16A.724, subdivision 2, by adding subdivisions; 16B.61, by adding a subdivision; 16D.13, subdivision 3; 43A.23, subdivision 1; 62E.02, subdivision 7; 62H.02; 62J.07, subdivisions 1, 3; 62J.17, subdivisions 2, 4a, 6a, 7; 62J.41, subdivision 1; 62J.495; 62J.52, subdivisions 1, 2; 62J.60, subdivisions 2, 3; 62J.692, subdivisions 1, 4, 5, 8; 62J.81, subdivision 1; 62J.82; 62L.02, subdivision 11; 62Q.165, subdivisions 1, 2; 62Q.80, subdivisions 3, 4, 13, 14, by adding a subdivision; 69.021, subdivision 11; 103L.101, subdivision 6; 103L.208, subdivisions 1, 2; 103L.235, subdivision 1; 119B.011, by adding a subdivision; 119B.035, subdivision 1; 119B.05, subdivision 1; 119B.09, subdivision 7, by adding subdivisions; 119B.12; 119B.125, subdivision 2; 119B.13, subdivisions 1, 3a, 7; 119B.21, subdivision 5; 144.123; 144.125; 144.3345; 144.5509; 144.552; 144.553, subdivision 3; 144.565; 144.651, subdivisions 9, 10, 26; 144.698, subdivision 1; 144.699, by adding a subdivision; 144.9507, by adding a subdivision; 144.9512; 144A.073, subdivision 4; 144A.351; 144D.03, subdivision 1; 144E.101, subdivision 6; 144E.127; 144E.35, subdivision 1; 145A.17; 145C.05; 145C.07, by adding a subdivision; 148.235, by adding a subdivision; 148.6445, subdivisions 1, 2; 148B.53, subdivision 3; 148C.11, subdivision 1; 149A.52, subdivision 3; 149A.97, subdivision 7; 151.19, subdivision 2; 151.37, subdivision 2; 152.11, by adding a subdivision; 157.16, subdivision 1; 169A.70, subdivision 4; 198.075; 245.462, subdivision 20; 245.465, by adding a subdivision; 245.4712, subdivision 1; 245.4874; 245.50,

subdivision 5; 245.771, by adding a subdivision; 245.98, subdivision 2; 245A.035; 245A.10, subdivision 2; 245A.16, subdivisions 1, 3; 245C.02, by adding a subdivision; 245C.04, subdivision 1; 245C.05, subdivisions 1, 4, 5, 7, by adding a subdivision; 245C.08, subdivisions 1, 2; 245C.10, by adding a subdivision; 245C.11, subdivisions 1, 2; 245C.12; 245C.16, subdivision 1; 245C.17, by adding a subdivision; 245C.21, by adding a subdivision; 245C.23, subdivision 2; 246.54, subdivisions 1, 2; 252.27, subdivision 2a; 252.32, subdivision 3; 253B.185, subdivision 2, by adding a subdivision; 254A.03, subdivision 3; 254A.16, subdivision 2; 254B.02, subdivisions 1, 5; 254B.03, subdivisions 1, 3; 254B.06, subdivision 3; 256.01, subdivisions 2, 2b, 4, by adding subdivisions; 256.015, subdivision 7; 256.017, subdivisions 1, 9; 256.476, subdivisions 1, 2, 3, 4, 5, 10; 256.969, subdivisions 9, 27; 256.974; 256.9741, subdivisions 1, 3; 256.9742, subdivisions 3, 4, 6; 256.9744, subdivision 1; 256.975, subdivision 7, by adding a subdivision; 256.984, subdivision 1; 256B.04, subdivision 14, by adding a subdivision; 256B.055, subdivision 14; 256B.056, subdivision 10, by adding a subdivision; 256B.057, by adding a subdivision; 256B.0621, subdivision 11; 256B.0622, subdivision 2; 256B.0623, subdivision 5; 256B.0625, subdivisions 3f, 13c, 13d, 18a, 20, 23, 47, by adding subdivisions; 256B.0631, subdivisions 1, 3; 256B.0644; 256B.0651, subdivision 7; 256B.0655, subdivisions 1b, 1f, 3, 8, by adding subdivisions; 256B.0911, subdivisions 3a, 3b, 4b, 4c, 6, 7, by adding subdivisions; 256B.0913, subdivisions 4, 5, 5a, 8, 9, 10, 11, 12, 13, 14; 256B.0915; 256B.0919, subdivision 3; 256B.0943, subdivisions 6, 8, 9, 11, 12; 256B.0945, subdivision 4; 256B.095; 256B.0951, subdivision 1; 256B.199; 256B.27, subdivision 2a; 256B.431, subdivisions 1, 2e, 3f, 17a, 17e, 41; 256B.434, subdivision 4, by adding subdivisions; 256B.437, by adding a subdivision; 256B.441, subdivisions 1, 2, 5, 6, 10, 11, 13, 14, 17, 20, 24, 30, 31, 34, 38, by adding subdivisions; 256B.49, subdivision 11, by adding a subdivision; 256B.5012, by adding a subdivision; 256B.69, subdivisions 4, 5g, 5h, 23; 256B.76; 256B.763; 256D.03, subdivisions 3, 4; 256E.35, subdivision 2; 256I.04, subdivision 3; 256I.05, by adding subdivisions; 256J.01, by adding a subdivision; 256J.02, subdivisions 1, 4, by adding a subdivision; 256J.021; 256J.08, subdivision 65; 256J.20, subdivision 3; 256J.21, subdivision 2; 256J.32, subdivision 6; 256J.42, subdivision 1; 256J.46, by adding a subdivision; 256J.49, subdivision 13; 256J.521, subdivisions 1, 2; 256J.53, subdivision 2; 256J.55, subdivision 1; 256J.626, subdivisions 1, 2, 3, 4, 5, 6, 7; 256J.751, subdivisions 2, 5; 256J.77; 256J.95, subdivision 3; 256K.45, by adding a subdivision; 256L.01, subdivisions 1, 4; 256L.03, subdivisions 1, 3, 5; 256L.04, subdivisions 1, 7, 12; 256L.05, subdivisions 1, 1b, 2, 3a; 256L.07, subdivisions 1, 6, by adding a subdivision; 256L.09, subdivision 4; 256L.11, subdivision 7; 256L.12, subdivision 9a; 256L.15, subdivisions 1, 2, 4; 256L.17, subdivisions 2, 3, 7; 259.20, subdivision 2; 259.24, subdivision 3; 259.29, subdivision 1; 259.41; 259.53, subdivisions 1, 2; 259.57, subdivisions 1, 2; 259.67, subdivisions 4, 7; 259.75, subdivision 8; 260.012; 260.755, subdivisions 12, 20; 260.761, subdivision 7; 260.765, subdivision 5; 260.771, subdivisions 1, 2; 260B.157, subdivision 1; 260C.152, subdivision 5; 260C.163, subdivision 1; 260C.201, subdivision 11; 260C.209; 260C.212, subdivisions 1, 2, 4, 9; 260C.317, subdivision 3; 260C.331, subdivision 1; 270B.14, subdivision 1; 518A.56, by adding a subdivision; 609.115, subdivisions 8, 9; 626.556, subdivisions 2, 3, 10, 10a, 10c, 10f, by adding subdivisions; Laws 2000, chapter 340, section 19; Laws 2005, chapter 98, article 3, section 25; Laws 2005, First Special Session chapter 4, article 9, section 3, subdivision 2; Laws 2006, chapter 282, article 20, section 37; proposing coding for new law in Minnesota Statutes, chapters 16C; 62J; 62Q; 144; 145; 148; 149A; 151; 152; 156; 245; 245A; 245C; 252; 254A; 256; 256B; 256C; 256D; 256J; 256L; 260; repealing Minnesota Statutes 2006, sections 62A.301; 62J.052, subdivision 1; 62J.692, subdivision 10; 119B.08, subdivision 4; 144.335; 252.21; 252.22; 252.23; 252.24; 252.25; 252.261; 252.275, subdivision 5; 254A.02, subdivisions 7, 9, 12, 14, 15, 16; 254A.085; 254A.086; 254A.12; 254A.14; 254A.15; 254A.16, subdivision 5; 254A.175; 254A.18; 256.956; 256.9743; 256B.0625, subdivisions 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k; 256B.0631, subdivision 4; 256B.0913, subdivisions 5b, 5c, 5d, 5e, 5f, 5g, 5h; 256B.441, subdivisions 12, 16, 21, 26, 28, 42, 45; 256J.29; 256J.37, subdivision 3b; 256J.561, subdivision 1; 256J.62, subdivision 9; 256J.626, subdivision 9; 256J.65; 256L.035; 256L.07, subdivision 2a; Laws 1997, chapter 8, section 1; Laws 2004, chapter 288, article 6, section 27; Laws 2006, chapter 249, section 6; Minnesota Rules, parts 4610.2800; 9503.0035, subpart 2; 9560.0102, subpart 2, item C; 9585.0030.

The bill, as amended by the Senate, was placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 95 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Abeler	Eken	Huntley	Mahoney	Ozment	Smith
Anzelc	Erhardt	Jaros	Mariani	Paymar	Solberg
Atkins	Faust	Johnson	Marquart	Pelowski	Swails
Benson	Fritz	Juhnke	Masin	Peterson, A.	Thao
Bigham	Gardner	Kahn	McFarlane	Peterson, N.	Thissen
Bly	Greiling	Kalin	Moe	Peterson, S.	Tillberry
Brown	Hansen	Knuth	Morgan	Poppe	Tschumper
Brynaert	Hausman	Koenen	Morrow	Rukavina	Urdahl
Bunn	Haws	Kranz	Mullery	Ruth	Wagenius
Carlson	Heidgerken	Laine	Murphy, E.	Ruud	Walker
Clark	Hilstrom	Lenczewski	Murphy, M.	Sailer	Ward
Davnie	Hilty	Lesch	Nelson	Scalze	Welti
Dill	Hornstein	Liebling	Nornes	Sertich	Winkler
Dittrich	Hortman	Lieder	Norton	Simon	Wollschlager
Dominguez	Hosch	Lillie	Olin	Slawik	Spk. Kelliher
Doty	Howes	Loeffler	Otremba	Slocum	

Those who voted in the negative were:

Anderson, B.	Dean	Finstad	Hoppe	Paulsen	Tingelstad
Anderson, S.	DeLaForest	Garofalo	Kohls	Peppin	Wardlow
Beard	Demmer	Gottwalt	Lanning	Seifert	Zellers
Berns	Dettmer	Gunther	Madore	Severson	
Brod	Eastlund	Hackbarth	Magnus	Shimanski	
Buesgens	Emmer	Hamilton	McNamara	Simpson	
Cornish	Erickson	Holberg	Olson	Sviggum	

The Speaker excused Westrom from voting on the repassage of H. F. No. 1078, as amended by the Senate.

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 4, A House concurrent resolution relating to adjournment until 2008.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 548, A bill for an act relating to state government; requiring state agencies to consider former employees before contracting out previously eliminated jobs; amending Minnesota Statutes 2006, section 16C.08, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simon moved that the House concur in the Senate amendments to H. F. No. 548 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 548, A bill for an act relating to government operations; appropriating money for general legislative and administrative expenses of state government; regulating state and local government operations; directing the Legislative Coordinating Commission to assist in fostering an understanding of ethnic and cultural diversity and assist in issues related to preparedness for terrorism and disasters; creating the position of poet laureate; imposing a temporary technology surcharge; establishing provisions for grants management; requiring a state Web site with a searchable database on state contracts and grants; promoting use of persons with disabilities for document imaging services; modifying secretary of state provisions; creating a state employees electronic health records pilot project; abolishing the Department of Employee Relations and transferring duties; establishing a state budget trends study commission; requiring best value contracts and procurement for certain purposes; requiring reports; amending Minnesota Statutes 2006, sections 3.303, by adding subdivisions; 4.035, subdivision 3; 5.12, subdivision 1; 15.06, subdivision 2; 15B.17, subdivision 1; 16A.102, subdivision 4; 16A.103, subdivision 1e; 16A.1286, subdivision 2; 16A.695, subdivisions 2, 3, by adding subdivisions; 16B.24, subdivision 5; 16B.35, subdivision 1; 16C.02, subdivisions 4, 12, 14, by adding subdivisions; 16C.03, subdivisions 2, 3, 4, 8, 16, by adding subdivisions; 16C.05, subdivisions 1, 2; 16C.08, subdivisions 2, 4, by adding subdivisions; 16C.10, subdivision 7; 16C.26; 16C.27, subdivision 1; 16C.28; 43A.346, subdivision 1; 103D.811, subdivision 3; 103E.505, subdivision 5; 116A.13, subdivision 5; 123B.52, subdivision 1, by adding a subdivision; 160.17, by adding a subdivision; 160.262, by adding a subdivision; 161.1419, subdivision 8; 161.32, by adding a subdivision; 161.3412, subdivision 1; 161.38, subdivision 4; 270B.14, by adding a subdivision; 270C.03, subdivision 1; 302A.821, subdivision 4; 308A.995, subdivision 4; 308B.121, subdivision 4; 308B.215, subdivision 2; 317A.823, subdivision 1; 321.0206; 321.0210; 323A.1003; 336.1-110; 336.9-516; 336.9-525; 358.41; 358.42; 358.50; 359.085, subdivisions 2, 3; 365.37, by adding a subdivision; 374.13; 375.21, by adding a subdivision; 383C.094, by adding a subdivision; 412.311; 429.041, by adding a subdivision; 458D.21, by adding a subdivision; 469.015, by adding a subdivision; 469.068, subdivision 1, by adding a subdivision; 469.101, by adding a subdivision; 471.345, subdivision 5, by adding subdivisions; 473.523, by adding a subdivision; 473.756, subdivision 12; 477A.014, subdivision 4; 491A.02, subdivision 4; 507.24, subdivision 2; 517.08, subdivisions 1b, 1c; Laws 2005, chapter 156, article 2, section 45; Laws 2006, chapter 253, section 22, subdivision 1; Laws 2006, chapter 282, article 14, section 5; proposing coding for new law in Minnesota Statutes, chapters 4; 5; 11A; 13; 16B; 16C; 161; 270C; 308B; 321; repealing Minnesota Statutes 2006, sections 16A.102, subdivisions 1, 2, 3; 16C.055, subdivision 1; 16C.08, subdivision 4a; 69.051, subdivision 1c; 359.085, subdivision 8.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Sertich moved that those not voting be excused from voting. The motion prevailed.

There were 91 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Abeler	Faust	Juhnke	Mariani	Peterson, N.	Tingelstad
Anzelc	Fritz	Kahn	Marquart	Peterson, S.	Tschumper
Atkins	Gardner	Kalin	Masin	Rukavina	Urdahl
Benson	Greiling	Knuth	McFarlane	Ruud	Wagenius
Bigham	Hansen	Koenen	Moe	Sailer	Walker
Bly	Hausman	Kranz	Morrow	Scalze	Ward
Brynaert	Haws	Laine	Mullery	Sertich	Wardlow
Carlson	Heidgerken	Lanning	Murphy, M.	Shimanski	Westrom
Clark	Hilstrom	Lenczewski	Nelson	Simon	Winkler
Davnie	Hilty	Lesch	Nornes	Slawik	Wollschlager
Dill	Hornstein	Liebling	Norton	Slocum	Spk. Kelliher
Dittrich	Hortman	Lieder	Olin	Solberg	
Dominguez	Howes	Lillie	Otremba	Swails	
Doty	Huntley	Loeffler	Paymar	Thao	
Eken	Jaros	Madore	Pelowski	Thissen	
Erhardt	Johnson	Mahoney	Peterson, A.	Tillberry	

Those who voted in the negative were:

Anderson, B.	Bunn	Emmer	Hamilton	Morgan	Seifert
Anderson, S.	Cornish	Erickson	Holberg	Olson	Severson
Beard	Dean	Finstad	Hoppe	Ozment	Simpson
Berns	DeLaForest	Garofalo	Hosch	Paulsen	Smith
Brod	Demmer	Gottwalt	Kohls	Peppin	Sviggum
Brown	Dettmer	Gunther	Magnus	Poppe	Walti
Buesgens	Eastlund	Hackbarth	McNamara	Ruth	Zellers

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2268, A bill for an act relating to public finance; providing terms and conditions related to the issuance of obligations and the financing of public improvements and services; extending the time for certain publications of notices; authorizing and validating trusts to pay public postemployment benefits; amending Minnesota Statutes 2006, sections 118A.03, subdivision 3; 123B.61; 204B.46; 275.61, subdivision 1; 331A.05, subdivision 2; 365A.02; 365A.04; 365A.08; 365A.095; 373.01, subdivision 3; 373.40, subdivision 4; 375B.09; 383B.117, subdivision 2; 383B.77, subdivisions 1, 2; 410.32; 412.301; 428A.02, subdivision 1; 453A.02, subdivision 3; 473.39, by adding subdivisions; 475.52, subdivision 6; 475.53, subdivision 1; 475.58, subdivisions 1, 3b; proposing coding for new law in Minnesota Statutes, chapters 471; 475.

PATRICK E. FLAHAVEN, Secretary of the Senate

MOTION TO CONCUR

Lenczewski moved that the House concur in the Senate amendments to H. F. No. 2268 and that the bill be repassed as amended by the Senate.

LAY ON THE TABLE

Lenczewski moved that H. F. No. 2268, as amended by the Senate, be laid on the table. The motion prevailed.

There being no objection, the order of business reverted to Petitions and Communications.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 15, 2007

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Kelliher:

I have vetoed and am returning H. F. No. 946, Chapter No. 84, the Omnibus Transportation Finance Bill.

With more than \$5 billion in tax and fee increases, this bill would impose an unnecessary and onerous financial burden on Minnesota citizens and would weaken our state's economy. The entire array of tax increases in this bill would cost an average family in Minnesota up to \$500 per year.

As I clearly stated to the legislative conference committee that crafted this legislation, I remain opposed to increasing the tax burden on Minnesota families. With gasoline prices rising to historic highs, a gas tax increase of up to 7.5 cents per gallon is untimely and misguided.

While the media have focused on the gas tax increase, other provisions in this bill need to be highlighted, including:

- A 0.5% sales tax increase in the seven metro counties and any adjacent county that chooses to join in without a voter referendum. This will result in Minneapolis and Hennepin Counties having one of the higher sales tax rates in the nation.
- A 0.5% sales tax increase in Greater Minnesota counties, subject to voter referendum.

- A new \$20 excise tax on motor vehicle purchases.
- Removal of the requirement that metropolitan counties that impose a wheelage tax (\$10) offset that amount on their property tax levy, effectively increasing property taxes.
- Removal of caps on "license tabs" which limit the tax to \$189 in the second year after a car is purchased and \$99 in the third year, instituted at the recommendation of Governor Ventura during the 2000 legislative session, subjecting car owners to significant increases.

I am disappointed that the conference committee did not adopt my transportation proposal and once again overreached. This type of overreaching has resulted in a transportation funding stalemate at the Capitol for too many years. Steady progress that is achievable is preferable to no progress at all.

Along with the numerous tax increases, the following provisions in the bill are also objectionable:

- I remain opposed to the provision creating a new joint powers entity in the metropolitan area with powers to distribute transportation funds to counties, cities, and the state. The proposed governing board would create a duplicative and unnecessarily complicated structure and add unnecessary process at the local, state and federal levels. Separating transportation spending decisions from the regional transportation planning function - as H. F. No. 946 would do - would be a step backward (recall the Regional Transit Board). This provision is bad public policy and would likely feature parochial decision making over an objective, regional perspective for transportation and transit planning, capital investments, and operations.
- I also remain opposed to the provision that severely restricts the extent to which a county regional rail authority may participate in financing the construction and operation of a transit project. This provision will have a negative impact on Minnesota's ability to compete for federal capital transit funding for future "new starts" projects, and it could also have an immediate negative - or even fatal - impact on the Northstar commuter rail project. This provision would necessitate a restructuring of the Northstar capital financing plan that has been submitted to the Federal Transit Administration. The restructuring effort could delay the project, putting in question the project's ability to remain eligible for federal funding.

The bill includes many items on which we share some agreement, such as a significant level of trunk highway bonding to accelerate long-delayed priority highway projects, the distribution of constitutionally dedicated motor vehicle sales taxes (MVST) with a ratio of 60 percent for roads and highways and 40 percent for transit, and the dedication of sales tax revenues on leased vehicles to highways and transit. However, I strongly urge the Legislature to adhere to my earlier proposal to include leased vehicle sales tax revenue in the base of the constitutionally dedicated MVST fund, and distribute the overall transit portion 38 percent for Metro area transit and 2 percent for Greater Minnesota transit. This formula will ensure that transit systems across the state will have additional funds to meet their future operating obligations.

I am issuing my veto promptly because I believe there is still time this session for the Legislature to pass a significant transportation financing bill - without tax increases - that I can sign into law. Investing in transportation is important to the citizens of Minnesota and a top priority of my administration. I urge the Legislature to approve my administration's transportation financing proposal and help us move forward in addressing Minnesota's transportation needs.

Sincerely,

TIM PAWLENTY
Governor

MOTION TO OVERRIDE VETO

Lieder moved that H. F. No. 946, Chapter No. 84, be now reconsidered and repassed, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota.

PREVIOUS QUESTION

Sertich moved the previous question and the motion was properly seconded.

A roll call was requested and properly seconded.

The question was taken on the Sertich motion for the previous question and the roll was called.

Sertich moved that those not voting be excused from voting. The motion prevailed.

There were 84 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Anzelc	Doty	Howes	Lillie	Norton	Slocum
Atkins	Eken	Huntley	Loeffler	Olin	Solberg
Benson	Faust	Jaros	Madore	Paymar	Swails
Bigham	Fritz	Johnson	Mahoney	Pelowski	Thao
Bly	Gardner	Juhnke	Mariani	Peterson, A.	Thissen
Brown	Greiling	Kahn	Marquart	Peterson, S.	Tillberry
Brynaert	Hansen	Kalin	Masin	Poppe	Tschumper
Bunn	Hausman	Knuth	Moe	Rukavina	Wagenius
Carlson	Haws	Koenen	Morgan	Ruud	Walker
Clark	Hilstrom	Kranz	Morrow	Sailer	Ward
Davnie	Hilty	Laine	Mullery	Scalze	Welti
Dill	Hornstein	Lesch	Murphy, E.	Sertich	Winkler
Dittrich	Hortman	Liebling	Murphy, M.	Simon	Wollschlager
Dominguez	Hosch	Lieder	Nelson	Slawik	Spk. Kelliher

Those who voted in the negative were:

Anderson, B.	DeLaForest	Gottwalt	Lanning	Paulsen	Smith
Anderson, S.	Demmer	Gunther	Lenczewski	Peppin	Stiggum
Beard	Dettmer	Hackbarth	Magnus	Peterson, N.	Urdahl
Berns	Eastlund	Hamilton	McFarlane	Ruth	Wardlow
Brod	Emmer	Heidgerken	McNamara	Seifert	Westrom
Buesgens	Erhardt	Holberg	Nornes	Severson	Zellers
Cornish	Erickson	Hoppe	Olson	Shimanski	
Dean	Finstad	Kohls	Ozment	Simpson	

The motion prevailed and the previous question was so ordered.

The question recurred on the Lieder motion that H. F. No. 946, Chapter No. 84, be now reconsidered and repassed, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota and the roll was called. There were 83 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Anzelc	Doty	Huntley	Lillie	Norton	Slocum
Atkins	Eken	Jaros	Loeffler	Olin	Solberg
Benson	Faust	Johnson	Madore	Paymar	Swails
Bigham	Fritz	Juhnke	Mahoney	Pelowski	Thao
Bly	Gardner	Kahn	Mariani	Peterson, A.	Thissen
Brown	Greiling	Kalin	Marquart	Peterson, S.	Tillberry
Brynaert	Hansen	Knuth	Masin	Poppe	Tschumper
Bunn	Hausman	Koenen	Moe	Rukavina	Wagenius
Carlson	Haws	Kranz	Morgan	Ruud	Walker
Clark	Hilstrom	Laine	Morrow	Sailer	Ward
Davnie	Hilty	Lenczewski	Mullery	Scalze	Welti
Dill	Hornstein	Lesch	Murphy, E.	Sertich	Winkler
Dittrich	Hortman	Liebling	Murphy, M.	Simon	Spk. Kelliher
Dominguez	Hosch	Lieder	Nelson	Slawik	

Those who voted in the negative were:

Abeler	DeLaForest	Gottwalt	Magnus	Peterson, N.	Urdahl
Anderson, B.	Demmer	Gunther	McFarlane	Ruth	Wardlow
Anderson, S.	Dettmer	Hackbarth	McNamara	Seifert	Westrom
Beard	Eastlund	Hamilton	Nornes	Severson	Wollschlager
Berns	Emmer	Heidgerken	Olson	Shimanski	Zellers
Brod	Erhardt	Holberg	Otremba	Simpson	
Buesgens	Erickson	Hoppe	Ozment	Smith	
Cornish	Finstad	Kohls	Paulsen	Sviggum	
Dean	Garofalo	Lanning	Peppin	Tingelstad	

Not having received the constitutionally required two-thirds vote, the bill was not reconsidered and repassed, the objections of the Governor notwithstanding.

TAKEN FROM THE TABLE

Lenczewski moved that H. F. No. 2268, as amended by the Senate, be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Lenczewski moved that the House concur in the Senate amendments to H. F. No. 2268 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

PREVIOUS QUESTION

Sertich moved the previous question and the motion was properly seconded.

A roll call was requested and properly seconded.

The question was taken on the Sertich motion for the previous question and the roll was called.

Sertich moved that those not voting be excused from voting. The motion prevailed.

There were 88 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Abeler	Doty	Howes	Lillie	Olin	Solberg
Anzelc	Eken	Huntley	Loeffler	Otremba	Swails
Atkins	Faust	Jaros	Madore	Paymar	Thao
Benson	Fritz	Johnson	Mahoney	Pelowski	Thissen
Bigham	Gardner	Juhnke	Mariani	Peterson, A.	Tillberry
Bly	Greiling	Kahn	Marquart	Peterson, S.	Tingelstad
Brown	Hamilton	Kalin	Masin	Poppe	Tschumper
Brynaert	Hansen	Knuth	Moe	Rukavina	Wagenius
Bunn	Hausman	Koenen	Morgan	Ruud	Ward
Carlson	Haws	Kranz	Morrow	Sailer	Welti
Clark	Hilstrom	Laine	Mullery	Scalze	Winkler
Davnie	Hilty	Lenczewski	Murphy, E.	Sertich	Wollschlager
Dill	Hornstein	Lesch	Murphy, M.	Simon	Spk. Kelliher
Dittrich	Hortman	Liebling	Nelson	Slawik	
Dominguez	Hosch	Lieder	Norton	Slocum	

Those who voted in the negative were:

Anderson, B.	DeLaForest	Garofalo	Lanning	Peterson, N.	Urdahl
Anderson, S.	Demmer	Gottwalt	McFarlane	Ruth	Wardlow
Beard	Dettmer	Gunther	McNamara	Seifert	Westrom
Berns	Eastlund	Hackbarth	Nornes	Severson	
Brod	Emmer	Heidgerken	Olson	Shimanski	
Buesgens	Erhardt	Holberg	Ozment	Simpson	
Cornish	Erickson	Hoppe	Paulsen	Smith	
Dean	Finstad	Kohls	Peppin	Sviggum	

The motion prevailed and the previous question was so ordered.

The question recurred on the Lenczewski motion that the House concur in the Senate amendments to H. F. No. 2268 and that the bill be repassed, as amended by the Senate, and the roll was called. There were 85 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Bigham	Brynaert	Davnie	Doty	Fritz
Anzelc	Bly	Carlson	Dill	Eken	Gardner
Atkins	Brown	Clark	Dominguez	Faust	Hansen

Hausman	Juhnke	Mahoney	Norton	Shimanski	Ward
Haws	Kahn	Mariani	Olin	Simon	Wardlow
Heidgerken	Kalin	Marquart	Otremba	Slawik	Welti
Hilstrom	Knuth	Masin	Pelowski	Slocum	Westrom
Hilty	Koenen	Moe	Peterson, A.	Solberg	Winkler
Hornstein	Laine	Morgan	Peterson, N.	Thao	Wollschlager
Hortman	Lenczewski	Morrow	Peterson, S.	Thissen	Spk. Kelliher
Hosch	Liebling	Mullery	Poppe	Tillberry	
Howes	Lieder	Murphy, E.	Rukavina	Tingelstad	
Huntley	Lillie	Murphy, M.	Sailer	Tschumper	
Jaros	Loeffler	Nelson	Scalze	Urdahl	
Johnson	Madore	Nornes	Sertich	Wagenius	

Those who voted in the negative were:

Anderson, B.	Cornish	Erhardt	Hamilton	McFarlane	Ruud
Anderson, S.	Dean	Erickson	Holberg	McNamara	Seifert
Beard	DeLaForest	Finstad	Hoppe	Olson	Severson
Benson	Demmer	Garofalo	Kohls	Ozment	Simpson
Berns	Dettmer	Gottwalt	Kranz	Paulsen	Smith
Brod	Dittrich	Greiling	Lanning	Paymar	Sviggum
Buesgens	Eastlund	Gunther	Lesch	Peppin	Swails
Bunn	Emmer	Hackbarth	Magnus	Ruth	Zellers

The motion prevailed.

H. F. No. 2268, A bill for an act relating to the financing and operation of state and local government; making policy, technical, administrative, enforcement, collection, refund, and other changes to income, franchise, property, sales and use, motor vehicle sales, estate, cigarette and tobacco products, gasoline, insurance premiums, aggregate removal, mortgage, deed, and production taxes, and other taxes and tax-related provisions; providing for aids to local governments; increasing maximum property tax refunds; requiring withholding; providing and modifying income tax credits; modifying taxation of certain compensation paid to nonresidents; modifying taxation of foreign operating corporations; modifying sales tax exemptions; modifying and authorizing local government taxes; prohibiting new local sales taxes; authorizing and modifying levies, property valuation procedures, homestead provisions, property tax classes, class rates, and tax bases; changing and providing property tax exemptions; changing JOBZ, border city allocation, tax increment financing, and economic development powers and incentives; changing provisions relating to fiscal disparities, budget forecasts and accounts, local impact notes, securities filing fees, state debt collection procedures, revenue recapture, sustainable forest incentives programs, and tax-forfeited lands; extending a petrofund fee exemption; authorizing utility rate adjustments; expanding the aggregate tax and distribution of the proceeds; changing distributions of production tax proceeds; providing for purchase of forest lands; providing for higher education grants in the taconite assistance area; authorizing and providing terms and conditions related to the issuance of obligations and the financing of public improvements and services; extending the time for certain publications of notices; requiring notices and publication of information; authorizing and validating trusts to pay certain public postemployment benefits; clarifying application of prevailing wage to JOBZ projects; changing and imposing powers, duties, and requirements on certain local governments and authorities and state departments or agencies; authorizing local governments to provide certain development incentives; providing rules for operation of certain tax increment financing districts; authorizing grants; requiring studies; establishing task

forces; authorizing release of certain data; transferring money to the budget reserve account; appropriating money; amending Minnesota Statutes 2006, sections 3.987, subdivision 1; 3.988, subdivision 3; 3.989, subdivisions 2, 3; 16A.103, subdivisions 1a, 1b, 2; 16A.152, subdivisions 1b, 2, by adding a subdivision; 16D.04, subdivisions 1, 2; 16D.11, subdivisions 2, 7; 62I.06, subdivision 6; 71A.04, subdivision 1; 80A.28, subdivision 1, as amended; 80A.65, subdivision 1, as amended; 97A.061, subdivision 2; 116J.871, subdivision 1; 118A.03, subdivision 3; 123B.61; 126C.41, subdivision 2; 127A.48, subdivision 2; 216B.1646; 268.19, subdivision 1; 270.071, subdivision 7; 270.072, subdivisions 2, 3, 6; 270.074, subdivision 3; 270.076, subdivision 1; 270.41, subdivisions 1, 2, 3, 5, by adding a subdivision; 270.44; 270.45; 270.46; 270.47; 270.48; 270.50; 270A.03, subdivisions 2, 5; 270A.10; 270B.15; 270C.03, subdivision 1; 270C.306; 270C.34, subdivision 1; 270C.446, subdivision 2; 270C.56, subdivision 1; 270C.63, subdivision 9; 272.02, subdivision 64, by adding subdivisions; 272.115, subdivision 1; 273.05, by adding a subdivision; 273.111, subdivisions 3, 6, by adding subdivisions; 273.117; 273.121; 273.123, subdivisions 2, 3, 7; 273.124, subdivisions 13, 14, by adding a subdivision; 273.125, subdivision 8; 273.128, subdivision 1; 273.13, subdivisions 22, 23, 24, 25, 33, by adding a subdivision; 273.1315; 273.1398, subdivision 4; 273.33, subdivision 2; 273.37, subdivision 2; 273.371, subdivision 1; 274.01, subdivision 1; 274.13, subdivision 1; 275.025, subdivision 3; 275.065, subdivisions 3, 5a, by adding a subdivision; 275.066; 275.067; 275.61, subdivision 1; 276.04, subdivision 2, by adding a subdivision; 276A.01, subdivision 3; 276A.04; 277.01, subdivision 2; 278.05, subdivision 6; 279.01, subdivision 1; 279.37, subdivision 1a; 280.39; 287.22; 287.2205; 289A.02, subdivision 7; 289A.08, subdivisions 11, 13; 289A.09, subdivision 2; 289A.12, subdivisions 4, 14, by adding a subdivision; 289A.18, subdivision 1; 289A.20, subdivision 4; 289A.40, subdivision 2; 289A.56, by adding a subdivision; 289A.60, subdivisions 8, 12, 15, 25, 27, by adding subdivisions; 290.01, subdivisions 6b, 19, as amended, 19a, 19b, as amended, 19c, 19d, 31, as amended; 290.06, subdivision 33, by adding subdivisions; 290.067, subdivision 2b; 290.0671, subdivision 7; 290.0677, subdivision 1; 290.091, subdivision 3; 290.0921, subdivision 3; 290.10; 290.17, subdivision 2; 290.191, subdivisions 2, 8; 290.92, by adding a subdivision; 290A.03, subdivisions 7, 15, as amended; 290A.04, subdivisions 2, 4, by adding a subdivision; 290A.14; 290B.03, subdivision 2; 290C.02, subdivision 3; 290C.04; 290C.05; 290C.07; 290C.11; 291.005, subdivision 1; 291.215, subdivision 1; 295.52, subdivisions 4, 4a; 295.54, subdivision 2; 296A.18, subdivision 4; 297A.61, subdivisions 3, 4, 7, 10, 24, by adding subdivisions; 297A.63, subdivision 1; 297A.665; 297A.668, by adding a subdivision; 297A.669, subdivisions 3, 13, 14, by adding subdivisions; 297A.67, subdivisions 7, 8, 9; 297A.68, subdivisions 5, 11, 16, 35; 297A.69, subdivisions 2, 3, 4; 297A.70, subdivisions 3, 7, 8, by adding a subdivision; 297A.71, subdivision 23, by adding a subdivision; 297A.72; 297A.75, subdivisions 1, 2, 3; 297A.90, subdivision 2; 297A.99, subdivision 1; 297B.03; 297B.035, subdivision 1; 297F.06, subdivision 4; 297F.09, subdivision 10; 297F.21, subdivision 3; 297F.25, by adding a subdivision; 297G.09, subdivision 9; 297I.06, subdivisions 1, 2; 297I.15, by adding a subdivision; 297I.20, subdivision 2; 297I.40, subdivision 5; 298.22, by adding a subdivision; 298.2214, subdivision 2; 298.24, subdivision 1; 298.25; 298.28, subdivisions 3, 4, 5, 6, by adding a subdivision; 298.292, subdivision 2; 298.296, subdivision 2; 298.2961, subdivisions 4, 5; 298.75, subdivisions 1, 3, 7, by adding a subdivision; 331A.05, subdivision 2; 360.031; 365A.02; 365A.04; 365A.08; 365A.095; 373.01, subdivision 3; 373.40, subdivision 4; 375B.09; 383A.80, subdivision 4; 383A.81, subdivisions 1, 2; 383B.117, subdivision 2; 383B.77, subdivisions 1, 2; 383B.80, subdivision 4; 410.32; 412.301; 424A.10, subdivision 3; 435.193; 453A.02, subdivision 3; 469.169, by adding a subdivision; 469.1734, subdivision 6; 469.174, subdivisions 10, 10a; 469.175, subdivisions 1, 3; 469.176, subdivisions 1, 2, 4l, 7; 469.1761, subdivision 1; 469.1763, subdivision 2; 469.177, subdivision 1; 469.178, subdivision 7; 469.1791, subdivision 3; 469.312, subdivision 5, by adding a subdivision; 469.3201; 473.39, by adding subdivisions; 473F.01, subdivision 2; 473F.08, subdivisions 5, 7a, by adding a subdivision; 475.51, subdivision 4; 475.52, subdivision 6; 475.53, subdivision 1; 475.58, subdivisions 1, 3b; 477A.011, subdivision 36; 477A.0124, subdivision 5; 477A.013, subdivisions 1, 8, 9; 477A.03; 477A.12, subdivision 1; 477A.14, subdivision

1; Laws 1973, chapter 393, section 1, as amended; Laws 1980, chapter 511, section 1, subdivision 2, as amended; Laws 1987, chapter 168, section 2; Laws 1988, chapter 645, section 3, as amended; Laws 1989, chapter 211, section 8, subdivision 4, as amended; Laws 1993, chapter 375, article 9, section 45, subdivisions 2, as amended, 3, as amended, 4, as amended; Laws 1994, chapter 587, article 9, section 14, subdivisions 1, 2, 3; Laws 1995, chapter 264, article 5, sections 44, subdivision 4, as amended; 45, subdivision 1, as amended; Laws 1999, chapter 243, article 4, section 18, subdivisions 1, 3, 4; Laws 2003, chapter 128, article 1, section 172, as amended; Laws 2005, First Special Session chapter 3, article 5, section 39; article 10, section 23; Laws 2006, chapter 236, article 1, section 21; Laws 2006, chapter 259, article 11, section 3; proposing coding for new law in Minnesota Statutes, chapters 17; 138; 270; 270C; 273; 274; 290C; 297A; 360; 383C; 383D; 383E; 471; 475; repealing Minnesota Statutes 2006, sections 16A.1522; 126C.21, subdivision 4; 270.073; 270.41, subdivision 4; 270.43; 270.51; 270.52; 270.53; 290A.04, subdivision 2; 295.60; 297A.61, subdivision 20; 297A.668, subdivision 6; 297A.67, subdivision 22; 469.174, subdivision 29; 473F.08, subdivision 3a; Laws 1973, chapter 393, section 2; Laws 1994, chapter 587, article 9, section 8, subdivision 1, as amended; Laws 1998, chapter 389, article 11, section 18.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Sertich moved that those not voting be excused from voting. The motion prevailed.

There were 82 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Abeler	Faust	Jaros	Mahoney	Pelowski	Tillberry
Anzelc	Fritz	Johnson	Mariani	Peterson, A.	Tingelstad
Atkins	Gardner	Juhnke	Marquart	Peterson, S.	Tschumper
Bigham	Hansen	Kahn	Masin	Poppe	Urdahl
Bly	Hausman	Kalin	Moe	Rukavina	Wagenius
Brown	Haws	Knuth	Morgan	Sailer	Ward
Brynaert	Heidgerken	Koenen	Morrow	Scalze	Wardlow
Carlson	Hilstrom	Laine	Mullery	Sertich	Welti
Clark	Hilty	Lenczewski	Murphy, E.	Simon	Westrom
Davnie	Hornstein	Liebling	Murphy, M.	Slawik	Winkler
Dill	Hortman	Lieder	Nornes	Slocum	Wollschlager
Dominguez	Hosch	Lillie	Norton	Solberg	Spk. Kelliher
Doty	Howes	Loeffler	Olin	Thao	
Eken	Huntley	Madore	Otremba	Thissen	

Those who voted in the negative were:

Anderson, B.	Berns	Cornish	Dettmer	Erickson	Greiling
Anderson, S.	Brod	Dean	Dittrich	Finstad	Gunther
Beard	Buesgens	DeLaForest	Eastlund	Garofalo	Hackbarth
Benson	Bunn	Demmer	Emmer	Gottwalt	Hamilton

Holberg	Lanning	McNamara	Paymar	Seifert	Smith
Hoppe	Lesch	Olson	Peppin	Severson	Sviggum
Kohls	Magnus	Ozment	Ruth	Shimanski	Swails
Kranz	McFarlane	Paulsen	Ruud	Simpson	Zellers

The bill was repassed, as amended by the Senate, and its title agreed to.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, February 12, 2008. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Tuesday, February 12, 2008.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives